NATIONAL OPEN CUSTODY PROGRAM WORKSHOP 1989

A report of the workshop on
Open Custody Programs in Canada

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Sponsored by: Community and Youth Corrections,
Justice Department of Manitoba and
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National Open Custody Program Workshop

The National Open Custody Program Workshop was a two day workshop which reviewed a variety of Open Custody Programs in Canada. The workshop was held at The Charter House Hotel, Winnipeg, Manitoba, April 11th and 12th, 1989. This report comprises the proceedings of the workshop.

The sponsors were Community & Youth Corrections, Justice Department of Manitoba and the Minister of Justice of Canada.

Community and Youth Corrections is responsible for all Youth Correctional Services in the Province of Manitoba.

Background To The Workshop

During the development of Manitoba's Open Custody Program and through conversation with several provinces, the need to share information between provinces became apparent. Since the Young Offenders Act came into effect in 1984, individual provinces/territories had been adjusting their services to meet its requirements. They interpreted and developed Open Custody independently and in a variety of ways. Therefore, it was felt that a workshop would provide the forum for sharing approaches to Open Custody and enable program development within provinces and territories.

In the spring of 1988, Catherine Kulesik, Department of Justice supported the idea and by August, 1988, most provinces/territories responded positively and enthusiastically to the workshop proposal and were prepared to send a representative.

Goal and Objectives of the Workshop

Individual participants from across Canada will:

A. Be familiar with Open Custody Programs in Canada;
B. Identify key persons in each province for the purpose of consultation and support;
C. Have an information package of Open Custody Programs within Canada.

This sharing of information in a workshop setting will enable each province and territory to strengthen their individual Open Custody Program.

Objectives:

1. To share provinces and territories approaches to Open Custody programming.
2. To assist provinces and territories on specific issues, problems, etc., related to Open Custody.
3. To form a national network.
4. To provide feedback to the Justice Department on Open Custody in Canada.

Format of the Workshop

The workshop covered the following Open Custody Program topics: Institutions, Group Programs, Intake and Discharge Procedures, Custody Reviews 28(1) Y.O.A. and 29(1) Y.O.A., Temporary Release Programs and Services to Minority Groups. Each topic was presented in small groups by a provincial representative. The representative was responsible to describe how their province implemented a specific program. Following each presentation a facilitator led the discussion which allowed all representatives to raise current issues and problems areas. Each topic presentation and discussion was summarized and recorded.

Provincial/Territorial

Overviews of Open Custody Programs

PROVINCIAL OVERVIEWS

Four months prior to the workshop, a request was made of all of the participants to provide an overview of the programs and services for Open Custody in their respective Province or Territory.

A package of these overviews was provided to all workshop participants as pre-reading material. The overviews were the basis of short presentations made by each provincial representative on day one of the workshop.

The overviews were interesting and informative and we hope they will be a very valuable resource as provinces evaluate their current programs in Open Custody and plan for the future.

North West Territories

OPEN CUSTODY IN THE NORTHWEST TERRITORIES

Introduction

Young Offender program development in the Northwest Territories occurs in an environment unique in Canada. The unique characteristics of our jurisdiction present unique challenges in terms of developing programming appropriate to the needs of young people in the Northwest Territories.

Geographically, the N.W.T. is the largest jurisdiction in Canada. In the west we border on Yukon and British Columbia. In the east, we are closer to Greenland than any Canadian province. To the north, the islands of the Arctic Ocean have approximately fifteen communities which need to be taken into consideration.

The population base of the N.W.T. is one of the smallest in Canada. Approximately sixty communities with an averge population of seven hundred are scattered throughout our jurisdiction. Ethnically, the N.W.T. population has an aboriginal majority. A variety of Dene and Metis groups populate the western part of the Territory. In the east and north Inuit populations form the majority.

The application of programming for young people must, of necessity, take into account these factors. Culturally appropriate programming as applied in the context of the N.W.T. must consider not only Dene, Metis, and Inuit concerns, but the concerns of distinctive groups within the Dene, Metis and Inuit cultures. As well, the interaction with the non-aboriginal population is a factor which is often central when dealing with criminal justice concerns. Transportation and communication challenges exist on a daily basis, partly due to the variety within the population, and partly due to the distance between communities.

Open Custody in the Northwest Territories occurs within this context.

Community Corrections, Department of Social Services

The Department of Social Services has responsibility for all Correctional Programming in the Northwest Territories. The Corrections Division has responsibility for all adult and young offender programs. Within the Corrections Division, the Coordinator of Community Corrections, reporting to the Director of Corrections, has responsibility for all community-based criminal justice programming including open custody.

Community Corrections follows the "Declaration of Principle" of the Young Offenders Act. With respect to open custody programming, priority is given to the following principles:

(1) A young person should be responsible for their conduct, but should be dealt with differently than an adult.
(2) Young offenders may require supervision, but have special needs.
(3) Intervention should be the least obtrusive measure possible.
(4) Parents maintain responsibility for their children, and their responsibility should be removed only as a last resort.
(5) Society has a right to protection.

As applied in the Northwest Territories these principles imply the following criteria for programming:

(1) Programs need to be culturally/geographically/ethnically appropriate.
(2) Supervision should be at the community level.
(3) Programs should involve parents and extended family.
(4) Intervention should not interfere with traditional methods of social control, or the methods of social control used at the community level.

Continuum of Young Offender Programming

Open custody in the Northwest Territories is defined in terms of a continuum between secure custody and community-based dispositions. Secure custody in the N.W.T. is dealt with through three (3) facilities. These facilities are decentralized, with two in the western N.W.T. and one in the east. They focus on the protection of the public as a priority.

Open custody is viewed on a scale ranging from secure custody to 'child welfare' type programming. Open custody is designed to take the young offender from a point of security to a point of responsibility. As most open custody dispositions in the N.W.T. are followed by

a community-based disposition, it is the goal of open custody to prepare the young person for the responsibility of handling a community-based disposition.

Community-based dispositions are the least secure young offender programs. They are designed as the final step before the young person is free of disposition responsibilities.

Open Custody Programs in the Northwest Territories

Open custody in the Northwest Territories attempts to remove the young person from their home environment only if necessary. While in custody, it is a requirement of open custody programming to ensure the young person has access to academic and traditional resources.

Traditionally, children were taught through the avenue of land-based activities. Interaction, socialization, work and survival skills were taught through hunting, gathering, and trapping. Elders with expertise were the primary instructors. The inclusion of traditional values in open custody programs necessitates the inclusion of land-based programming to ensure the traditional respect for elders is maintained.

The concept of traditional values as an integral part of programming implies decentralized and diversified programming. Programs need to be as localized as possible to ensure values at the community level are encorporated. Due to the size of communities, this also implies multiple programs with smaller bedspace capacity rather than centalized programs with larger bedspace capacity.

Education is also a necessity. For that reason, programs must be located in or near an educational centre. This can be either a regular classroom or an adult education centre.

(a) Open Custody Foster Home

For many young offenders who come from home situations which do not provide solid supervision and parenting, a 'foster home' can provide both security and structure. Open custody foster homes are designed to provide young offenders who have been identified as needing a strong family environment with the programming appropriate to their needs.

Open Custody Foster Homes accommodate the requirements of traditional values and access to educational programming. Many of the homes use an aboriginal language as the first language of communication. They also use extended family as the means of support and guidance.

Open Custody Foster Homes provide a form of child welfare programming within the structure of the Young Offenders Act.

At the present time this form of programming exists in all regions of the N.W.T.

(b) Three to Five Bedspace Programs

In some situations Open Custody Foster Homes cannot provide for the security and special needs of the young person. Under development at the present time, are programs with limited bedspace capacity, which provide an upgraded level of security while still maintaining access to community and family for the young person.

Programs in this category encorporate both land and community based programming. Young people are taught through the use of hunting and survival skills, about traditional values. Normally this programming is limited to evenings, weekends, and summer. At the same time, young people have access to specialized education programming during the week. Most of these programs use an aboriginal language as the language of choice.

Programs in this category exist in three of the five N.W.T. regions. Projections indicate all regions will have encorporate this level of open custody by March 31, 1990.

(c) Five to Eight Bedspace: Group Home Model

Four of the five N.W.T. regions utilize the Group Home Model of open custody supervision. These programs are contracted on an annual basis, and range between land and community based programs.

Group Home Programs are either parent or staffed model homes. They house young offenders who cannot be accommodated in the three-to-five bedspace programs. The young person must follow a timetable and work structure based on education and work

timeframes. Most of these contracts have, traditionally, been staffed with workers hired from provincial jurisdictions, and follow models of care based on their experience in non-N.W.T. jurisdictions.

At the present time it is the direction of the Department of Social Services to structure these programs after the criteria of community-based programs, with a strong traditional and educational component. This has implications for models which do not accommodate the unique characteristics of N.W.T. young offenders.

(d) Special Need Programs

Special needs for Open Custody are either identified by the courts or by the Youth Worker working with the young person. If special needs are identified by the courts as psychiatric, medical, or psychological, referrals are made to programs in Alberta which accommodate the specified need.

Two programs exist in the Northwest Territories. Trailcross, located in Fort Smith, houses both child welfare and open custody clients who have been identified as having special emotional and social needs. The program offered is based on a behavior modification model, and requires the young person to adapt to a rigid structure. Councillors are provided for each client, and regular progress reports are prepared for the home community Youth Worker.

Northern Lights, located in Inuvik, has historically followed a similar model to Trailcross. In recent years the need to accommodate young offenders convicted of sexual abuse has changed their program. At the present time the program is developing towards specializing in the needs of sexual abuse offenders.

Support Services for Open Custody

Young people placed in open custody have a number of individuals who offer a support system. At the community level, the Youth Worker is designated as the primary caseworker. They track the young person through their term of custody and ensure contact with the parents and extended family is maintained. The Youth Worker has authority to grant Temporary Absence Authorizations.

At the next level, an Area Supervisor is responsible for supervision of the Youth Worker and maintains monthly contact with the Youth Worker. Any difficult or troublesome situations and issues are dealt with at this level.

At the Regional level, Regional Social Service offices maintain supervision of all programs offered in the region. Administration and serious casework issues can be dealt with at this level. In each region there is a Community Corrections Specialist. This individual has responsibility for program development, and maintenance of the young offender system in their region.

At the Headquarters level, the Coordinator of Community Corrections has overall program responsibility and reports directly to the Director of Corrections. Policy and Development Criteria is developed at this level.

Reviews

It is the responsibility of the community Youth Worker to initiate and process reviews. Reviews are used as a regular part of case management and follow set criteria for presentation.

Reviews are directed to the courts only if set criteria are met. Reviews presume custody is effective on a limited basis. Therefore it is the practice when processing reviews, to, within the guidelines of the Young Offenders Act, attempt to remove the young offender from a custodial situation as soon as possible.

Yukon

OPEN CUSTODY IN THE YUKON

Youth committed to Open Custody by the Yukon Territorial Youth Court complete their sentences at one of two government run open custody facilities. These facilities are staffed by Public Service employees and fit within a bureaucratic structure that see these facilities as part of a unit of Juvenile Justice, that is Youth Services, which is a branch of the Department of Health and Human Resources.

Due to the small number of youth receiving custody in the Yukon and the close relationship between Youth Services and Probation, case planning prior to admission (disposition) is often possible.

Currently there are a total of fourteen (14) beds designated for open custody within Whitehorse. Flexibility in designating 'individuals' as open custody placements has allowed us to place youth from remote communities back in their home community, eg. a youth placed with a trapper.

Most of the offenses committed by youths receiving open custody have an alcohol related component and a high percentage of our youth have experienced either physical and/or sexual abuse. Average age is approximately sixteen (16), length of disposition four (4) months, and males outnumber females four to one.

The current program is a highly structured model adapted from the Family Teaching model pioneered at the University of Kansas in 1967. This mdoel is currently in over 150 group homes in North America. This program has proven highly effective in addressing behavioural deficits and intensive efforts are currently underway to ensure these programs are culturally appropriate. To this end an Advisory Committee comprised of native leaders from the community consults with Youth Services and provides direction on program issues as they relate to 'cultural issues'. It is important to note that in an effort to ensure program integrity there is an intensive pre-service and in-service training program for staff. To be specific, prior to working in program a staff member receives approximately ninety (90) hours of training in the model followed up by two four-day refresher workshops each year, and several other workshops focusing on working with sexually abused youth and youth with drug and alcohol dependencies.

Recognizing that many of our youths have also experienced failure within the educational system we have negotiated with the Department of Education for the development of a special education program within our residential facilities. This unique program focuses on re-engaging a youth in the learning process and then streaming him/her back into the regular school system.

There is a comprehensive case management process that ensures all youth receive the best care and planning possible. This process ensures that parents are kept involved in the process through the efforts of our Native Liaison Intake Worker. This is a new and important position which we hope will break down many of the barriers we have faced in getting parents from remote communities involved.

To sum up, there are several important points worth making in regards to the Open Custody program in place at Youth Services.

1. The specific model is a highly researched and documented, approach to effecting behavioural change in youth.
2. There is an intensive pre-service and in-service training component.
3. Program integrity is maintained through a comprehensive training plan and a systematic feedback system designed to monitor the program across a wide variety of variables.
4. An Advisory Committee is in place that examines the model and ensures its cultural appropriateness.
5. There is a comprehensive Case Management System that ensures the best possible planning for a youth takes place.

British Columbia

OPEN CUSTODY IN BRITISH COLUMBIA

Open custody services in B.C. are administered by the Corrections Branch, Ministry of Solicitor General. The Corrections Branch is responsible for all adult and youth community and custodial correctional services, as well as family court counselling services. There is not a separate youth division of the Branch, nor a separation by community and institutional divisions; rather, district and regional directors are responsible for overseeing the full range of adult, youth and family services in a given geographical area.

Formerly, the Branch was part of one unified justice ministry (Attorney General). In 1988 this justice ministry was divided, with Corrections and Police Services forming the Ministry of Solicitor General and Crown Counsel and Court Services forming the Ministry of Attorney General.

The "containment" (custody) program in B.C. is relatively new in B.C., being established in 1977. Prior to that there were, for a few short years, no locked-door (sentenced) facilities (except remand) available in the province. The containment program was established with a specific philosophical view: custody should be used as a last resort only for the purpose of the protection of society. It is not intended, nor promises to rehabilitate: hence the description "containment". Two levels — secure detention centres and camps — were established, with classification to each being administratively determined. Sentences were definite in nature and early release could only be achieved by a court review. Given these **J.D.A.** practices from 1977 to 1984, the implementation of the **Y.O.A.** did not have as pronounced a structural and legal effect in B.C. as it did in other provinces. The major effects on custody were, however, still significant:

1. increased volume arising from an increase from 17 to 18 years;
2. increased volume arising from the Act itself (sentenced admissions to secure and open custody, excluding the effects of the U.M.A., have increased by 85%)
3. court classification to secure and open custody and, given the need to separate secure from open custody, a requirement to develop separate intake and special handling units for open custody (these functions were formerly handled by the detention centres); and
4. a more cumbersome court review process.

One major feature of the B.C. system which distinguishes it from other provinces is the extent to which probation residence is used. The Corrections Branch has a system of privately contracted probation residences — as per s. 23 (2) (f) **Y.O.A.** — totalling (approximately) 140 beds, i.e. it is roughly the same size as the open custody system. The probation residence system consists of community residential centres, small camps, group homes and private homes. In most other provinces, these probation residences would be designated and operated as open custody resources. B.C. prefers a probation residence system because administrators exercise exclusive control over intake, placement, and program length. The major distinction between probation residence and open custody, aside from legal differences in entry and enforcement, is that probation residences tend to be smaller, more community-oriented, are all privately contracted, and operators exercise no static or human restraint at all. In contrast, open custody is exclusively staffed by Corrections Branch personnel, who are peace officers under the **Correction Act** and can and do exercise physical restraint. In effect then B.C. has a three-tiered sentenced institutional system — probation residence, open custody and secure custody — each of which have approximately the same capacity.

Facilities

There are three 30 bed camps — one on Vancouver Island, one in the Vancouver area, and one in the Interior Region of the province. One camp is co-educational, although the numbers of females is small. Each of the camps also has cells, which are designated secure custody, and are used for short-term lock-up pursuant to an administrative transfer under s. 24.2 (9) **Y.O.A.**

There is one eight-bed group home type facility in the Vancouver area that is used exclusively for females.

There is one 18-bed community-residential type facility in the Vancouver area that deals with two special populations: sex offenders (approximately 12) and protective custody

(approximately six). Most of these youths attend to individual and group out-patient treatment programs available at the nearby Forensic Psychiatric Services Commission (Health).

There is also one 23-bed community residential program in the Vancouver area that operates as somewhat of a special unit: intake and classification, very short sentences, youths with (other) psychological problems, and generally youths unsuitable for camp settings. This is in fact a semi-secure facility, being surrounded by "candy-cane" fencing. (This arose as a result of an extraordinarily high number of escapes in the first **Y.O.A.** year and a consequent outcry.)

There is also a six-bed open custody unit that is a part of a Victoria (secure, remand) centre, but youths are completely separated from the secure population. This is a "convertible" unit that can be operated as secure or open depending on counts and is currently operating as secure. When operating as open, it acts as an intake and classification and special handling unit for Vancouver Island. A similar 12-bed open unit is to be established as part of a new 48 bed Y.C.C. to be opened in May, 1989 in the Northern Region of the province and for a planned Y.C.C. in the Interior Region of the province.

Present open custody capacity is 139; the average count to date this fiscal year has been approximately 140. Mean sentence length is approximately three months; the median length is 51 days. Each of the open custody units is independent, i.e. there is no mixing with secure, remand, probation residence, child welfare or mental health youths. (Each is actually co-designated temporary detention for overcrowding contingency purposes, but this has been very rarely employed.) Less than 10% are females and about 20% are natives. There were 43 escapes from open custody in the first six months of this fiscal year and one failure to return from a temporary release.

Staffing and Programs

Excluding management, administrative support, and program support functions, the staff-to-resident ratio is 1:6 on days and afternoons. The Ministry of Education provides on-site teaching staff to each centre at a 1:10 ratio. In addition, each centre has on-site (part-time) nurses, sessional physicians, psychologists (contracted), chaplain (contracted), and special program staff such as woodwork, life-skills, and arts and crafts instructors, or volunteer co-ordinators (varying by centre). In the Spring, 1989 contracted on-site substance abuse treatment programs will be introduced into each centre. Each centre also has a probation officer or case management co-ordinator; field probation officers also retain youths committed to custody on their caseloads and are responsible for community planning in consultation with the custody centre. The camps provide work programs in forestry, salmonoid enhancement, parks maintenance, and ranching. Food services are all contracted.

Psychological and psychiatric services are provided jointly by contracted psychologists and the Forensic Commission. These services tend to be more for assessment, case management consultation and crisis intervention (i.e. reactive) than they are for proactive treatment, with the exception of the special sex offender/protective custody facility described above. Smoking is not permitted.

Intake, Classification, Case Management

Escort from court, and to some degree between centres, is done by Sheriffs (Attorney General); otherwise, Corrections staff undertake escorts between centres. Initial entry may be made directly to a camp or to a reception centre. Where it is readily apparent at sentencing that a youth is suitable for a camp setting arrangements for direct entry to a camp may be made between the probation officer and centre director. Otherwise, and in the Vancouver area, youths are initially admitted to a reception and classification centre where they are assessed socially (probation officer), educationally (tested by teaching staff), medically (physician), and, if required, psychologically.

A case management plan must be developed within 30 days and thereafter is updated on a monthly basis. The field probation officer, who retains a youth in custody on his caseload is required to maintain monthly contact and carries out community assessments for temporary releases and progress reports for reviews.

Temporary Release and Reviews

Policy provides for a staged re-introduction into the community from secure custody to open custody to probation. In practice, however, sentences to secure custody are frequently short and, for many, this de-escalation of security is not practical, given the time consuming nature of the review process. For those committed directly to open custody, however, early release, either by means of temporary release or review, is relatively common.

Youths have a right to apply (not to be granted) a temporary release. Unescorted day releases from open custody are not common given that programs services (e.g. educational) are largely on-site. Escorted day releases to the community for activities and special service (e.g. psychiatric out-patient) is, however, relatively common (but less so in the camps). The authority to approve day absences is delegated to the officer-in-charge.

Overnight absences usually occur either at the end of sentence or as a testing period prior to an application for early release to probation and are relatively common. Decisions are based upon an institutional and community (field probation officer) assessment and are made by the centre director. Policy does not presently permit "back-to-back" temporary releases (except, rarely, for medical purposes), but a change in this policy is currently being considered.

Mandatory reviews are a relatively simple process: the open custody centre calculates the required date and notifies the court; the court fixes a date and serves notices; the field probation officer prepares the progress report (and appears in court), and Sheriffs provide escort.

Upon admission, youths are informed that they have an absolute right to apply for a review under Section 28 at any time, but in practice relatively few are initiated by the youths themselves. Most are initiated by the provincial director. Policy provides that when the provincial director is applying for a review, Section 29 reviews are to be the preferred practice. Section 28 optional reviews are intended to be reserved for applications made by the youth or parents (the Crown never applies). There are, however, mixed practices in this regard as some judges do not like Section 29 reviews.

Applying for a review by the provincial director is a joint decision made by the custody centre and probation officer. All youths are required to be considered for an application for review at 1/3 of sentence. If both the institution and field probation officer agree at this point then the application will be made, but if one party disagrees the application is not made. If the review at 1/3 of sentence does not proceed (and few do) then a similar process is undertaken at 2/3 of sentence. At this time, however, the application must be made if only one party approves. If an application is not made at either stage, the youth is all the while advised of his independent right to make an application on his own. This practice only applies to sentences longer than three months, given the time consuming nature of the review process.

Section 28 reviews are heard by designated "review courts", i.e. the court most proximate to the custody centre. This only occurs with the consent of the youth, parents, Crown Counsel and original sentencing judge. Consent is usually provided, but if not the matter goes before the original sentencing court. The review court system is useful with youths from rural communities in terms of reducing time and escort costs involved in multiple appearances. Typically, a Section 28 review takes two appearances: the first for appointment of counsel, granting of leave (if required), ordering service of notice, and ordering a progress report. The second appearance involves a hearing and decision. The court serves the required notices, Sheriffs provide escort, and the field probation officer prepares the progress report.

The field probation officer is responsible for the preparation and service of notices of intention for Section 29 reviews; a progress report is also prepared by the probation officer and accompanies the notice. Section 29 review notices are filed with the court of original disposition. Once the required ten days has expired (and a review has not been requested), the matter is put on the court docket. The youth does not appear at this point since the application is being made by the provincial director; rather, the probation officer appears as a delegate of the provincial director. If the court approves the release (i.e. does not "make no direction") the matter is put over for a week (or so), wherein the youth appears for the

making and reading of the probation order. (The youth is granted a temporary release for this purpose.) Again, this process is particularly useful for youths originating from rural communities insofar as it avoids unnecessary court appearances.

While efforts have been made to streamline the review process in B.C., it is nonetheless still fraught with problems. The review process is still complex and time-consuming and is not practical with short sentences. Some judges (and probation officers) are reluctant to tamper with the original sentence. Further, in many cases the development of a suitable release plan, particularly respecting residence, can often be problematic. This often occurs where the family circumstances are poor, but not poor enough to warrant child welfare intervention (the child welfare age in B.C. is under 19 years). This can be a source of conflict between the Corrections Branch and Social Services. The Corrections Branch has (to date) philosophically resisted the notion that the juvenile justice and correctional system should be employed as a means of facilitating the "care" (as opposed to control) of adolescents.

Alberta

OPEN CUSTODY IN ALBERTA

Open Custody Programs — Alberta

1. **Introduction:**

When the Federal Young Offenders Act replaced the Juvenile Delinquency Act in April, 1984, the responsibility for the administration of some transferred from the Department of Social Services to the Alberta Solicitor General.

Immediately the Solicitor General faced significant operational problems. Since the Young Offenders Act was a radical departure in philosophy from the Juvenile Delinquency Act, the Department was required to develop a philosophy of how it would respond to young offenders that would ensure their legal rights to due process of law and hold the young persons accountable for their actions.

Within the Solicitor General's Department, a section called the Young Offender Branch evolved while it borrowed from the expertise the Department had established in developing a Provincial adult criminal justice system. It established its own direction and philosophy with the recognition that young people have special needs because of their level of maturity and therefore require guidance and assistance when they come into conflict with the law.

With the implementation of the Act in 1984, the Province found itself with a lack of facilities or inadequate, outdated facilities to accommodate the projected population that was anticipated when the Young Offenders Act was implemented. This was especially true when the age in Alberta for young offenders would raise to eighteen (18) from sixteen (16) in April 1985.

This paper will discuss the Alberta Open Custody program in light of the Federal and Provincial Young Offender Acts and the range of facilities within the province.

Correctional Services Mission Statement and Mandate:

Aside from the general principles that are defined in the preamble of the Federal and Provincial Young Offenders Act, the Alberta Young Offender Branch relies on a set of assumptions in developing programs and services to persons in conflict with the law to carry out its mandate. These assumptions are that young offenders:

— require proper guidance, support and supervision from adult role models;
— need opportunity to exercise reasonable control over their own lives;
— have developmental needs in the social, educational, physical and spiritual areas;
— are part of a culture, social and family function, which influenced their behaviour;
— can be expected to learn responsible decision making;
— often has special needs based on ethnic or family background and physical, mental or emotional conditions; and
— are to be held accountable for their actions.
— are best dealt with in a community setting with the least level of intervention that ensures the needs of the young person and the safety of society.

Open Custody Facilities:

In Alberta, there are four (4) types and levels of open custody facilities:

1. **Centres**

Usually large Centres are located in the main metropolitan areas of the province and operated administratively under the provincial government. The two largest facilities are:

The Kikino Young Offender Centre, a facility for males located in Edmonton, has a bed capacity of thirty (30). The facility serves the area of Red Deer to the south, and to north, the Alberta and Northwest Territories border.

The Strathmore Youth Development Centre, a fifty (50) bed facility, serves residents in the southern half of the province as well as all open custody females sentenced in the province. It also administrates a six bed group home in the City of Calgary as well as the only forestry camp for young offenders in the Province.

2. **Group Homes**
   The Branch contracted with non-government organizations to operate 6-12 bed open custody group homes located throughout the Province. They vary in programs from regular homes where young persons live and attend school or employment, to outward bound, to mental health facilities.

3. **Custody Homes**
   The Branch contracts with private citizens to take up to two young offenders in a family setting. These facilities are designated as open custody and are located throughout the Province, but primarily in rural settings. Under the supervision of probation officers, the owners of the home receive a per diem rate for each offender that resides with their family.

4. **Camps**
   Strathmore Youth Development Centre operates a sixteen (16) bed facility in the Highwood area, a forestry setting on the eastern slopes of the Rockies.

Programs for Young Offenders Committed to Custody

Since there appears to be little evidence to suggest that institutional base care is effective, or more effective than community programs in dealing with problems of young offenders, pre-release planning commences with young persons the minute that they are committed to a facility. This is especially true for those given an open custody disposition. Selection of which facility the young person will be sent to serve their disposition occurs immediately following the disposition. The Probation Officer who completed the Predisposition Report will contact the Central Placement Authority in Edmonton and through the former's knowledge of the young person and his/her behaviour, and developmental needs, along with knowledge of custody programs, a suitable facility where the young person should be sent to serve their custody is determined. Where possible, a facility close to his/her home will be considered. The Centre is notified of the new admission, and the young person is transferred to the facility either by the probation officer or the provincial escort service. Depending on the size of the Centre and its location, the range of programs available to young offenders will vary. In the larger facilities such as the Kikino and Strathmore Youth Development Centres, residents benefit from full medical, dental, nursing, psychological and psychiatric care. As well as education, life skills, recreation, spiritual counselling programs are provided are provided in a living unit environment. Smaller units like group homes or custody homes, obtain the support of education, psychology, religion and medical services directly from the community in which the facility is located.

Temporary Release

The Temporary Release Program is used to integrate the young person back into his/her community at the earliest opportunity. The Temporary Release Program is used in a number of different ways to accomplish this goal. Residents may be placed on a Temporary Release:

— on a daily basics to attend school, work or treatment programs outside of the custody facility;
— on a daily, overnight or weekend basis to return for visits to the family home or other suitable residence;
— on an extended overnight basis up to 15 days to the family home or other suitable residence for employment or educational opportunities;
— to attend a treatment facility (alcohol, drugs, psychological or the like); and
— to achieve an earlier release, when length of disposition makes a Court Review not a viable option.

As the young offender demonstrates behavioural improvement in custody and experiences success on temporary releases, an application to the Youth Court for review is processed using either Section 29 or 28 of the Young Offenders Act. In that the review process can be a long legal procedure, only those disposition cases of sixty (60) days or

longer are considered. Since the average custody disposition in open custody is ninety (90) days or less, a great percentage of the residents utilize some form of the Temporary Release Program.

Conclusion — Towards the Community

The Branch's philosophical position is that the answer to the problems of young offenders lies not in the higher use of custody disposition (with the exception for those who are chronic or dangerous offenders), but in working with the offender in his or her community. Therefore custody must be seen as the first step in re-integrating the young person back into his/her community, usually at the earliest time possible. Young offenders are best dealt with in the community settings and the Branch has focused on developing community based programs and services beyond the traditional probation service. The Department has heavily committed into programs that involve the private sector i.e. use of volunteers, native and ethnic organizations and the private sector to work with young people in their community to aid the latter in leading a more productive and non-criminal life style.

The Branch accepts that institutional settings are necessary for certain young people, but takes the position that most young offenders can best benefit from community programs such as alternative measures, pre-trial supervision, probation and/or community service. It further believes that for those in custody, the least restrictive type of facility should be used unless the offenders behaviour poses a serious risk to the community.

In spite of the principle of the least restrictive level of intervention, there is a need to provide a custody service for young offenders who commit serious offences, are repeat offenders, or who pose a danger to society. In the area of custody, the Young Offenders Act defined three levels of temporary detention at the pre-trial stage as well as secure or open custody for sentenced young offenders.

It was in the area of custody that some problems resulted during the early years of the implementation of the new Act. Larger numbers of young people were being sent to some form of custody than was originally projected and this became especially true when the 16-18 year old came into the system in April 1985. The Branch had to use several inadequate or converted facilities until it could complete the construction of two new modern secure custody and remand facilities in the cities of Calgary and Edmonton (both opened in 1988) to accommodate the young offenders. The completion of these facilities solved a number of over crowding problems.

In developing a network of custody facilities, the Young Offender Branch followed several designs and program considerations which included to:

— ensure that facilities housing high risk offenders are adequately designed and secure to ensure that escape from detention, remand and secure custody facilities does not become a chronic operational problem or continuous threat to the local community where these facilities are located;
— provide an assessment and orientation program for all new admissions to secure and open custody facilities;
— provide a placement system for all young offenders confined in secure and open custody facilities;
— placement takes into account the level of risk presented by offenders, their special needs and the types of accommodation and programming that can most effectively meet these needs;
— create a positive environment based on the living unit model which ensures good co-ordination and integration of activities, programs and support services;
— ensure that female offenders, despite comprising a small minority of the total offender population, have a similar level of access to programs and services as offered to male offenders.
— provide programs within each facility that address the psychological, educational, recreational, medical, religious and familial needs of young offenders;
— implement a program of graduated privileges within all facilities based on the system of behaviourally earned rewards and discipline;
— commence release planning as soon as the offender is admitted using the case processing plan.

The intent, while the young person is in custody, is to work at obtaining a positive behavioural change in problem resolution while slowly integrating him or her into a suitable residence in the community. The placement system, together with the temporary release program and Court Reviews, are used to effect this goal.

Custody will provide many of the traditional roles and purposes within any criminal justice system, but programs such as attendance Centres or day programs on reserves or in the larger metropolitan areas will provide alternatives to the Youth Court who are dealing with young people in conflict with the law.

HIGHWOOD FORESTRY CAMP

The Province of Alberta operates one Forestry Work Camp within the young offender branch of the Correctional Services Division. Highwood Camp is directly affiliated to the Strathmore Youth Development Centre and operates as a satellite program.

Location:

Highwood Camp is situated 150 kms. southwest of Calgary within the boundaries of Kananaskis Country. The nearest community to the Camp is the town of Longview, approximately 43 kms. away.

Facility:

The Camp is comprised of twelve (12) Atco trailers which are all serviced with power, water and propane. The Camp accommodates up to sixteen (16) male young offenders who are serving open custody dispositions.

Funding:

The funding for Highwood Camp falls under the operating budget of the Strathmore Youth Development Centre.

Program Criteria:

Due to the type of work and the Alberta School Act, young offenders must be sixteen (16) years of age and not interested in attending school full time.

The facility will take young offenders on temporary release permits who are still serving secure custody dispositions.

Work Programs/Education:

The young offenders in Camp work a full eight (8) hour day on projects assigned by the Alberta Forestry Service.

Under supervision of the Camp staff, the young offenders work on projects such as: snow removal, painting, trail construction and maintenance.

One day per week the young offenders attend school with a teacher who travels to the Camp from Strathmore. They participate in a full day of instruction. As well, they get their correspondence courses checked and new material assigned.

Recreational Programming:

The recreation programming at Camp is mainly organized by the residents themselves. They participate in board games, weight lifting, cross country skiing, hiking, team sports etc. Although residents are encouraged to participate, it is optional because they have already put in an eight (8) hour work day.

Supervision:

Camp staff are permanent employees voluntarily assigned to Camp from Strathmore Youth Development Centre. The staffing complement includes one Correctional Service Worker III and three Correctional Service Worker I-II's. Duties include constant supervision

of residents on the work program and during evening program. As well, they complete all behaviour management and case plan requirements.

Behaviour Management:

The young offenders assigned to Highwood Camp are assessed as functioning on level 4. This is the highest level attainable on the tiered level system in place at Strathmore Youth Development Centre. They are continually assessed as to their work performance, compliance with the rules and meeting the behavioural expectations in place at Camp.

Temporary Release Programs:

Due to the location of Camp, family visits rarely occur. The young offenders, however, participate extensively in the temporary release program by visiting home on weekends.

Saskatchewan

OPEN CUSTODY IN SASKATCHEWAN

Open Custody Programs in Saskatchewan represent the supervised residential component of a continuum of community-based services for young offenders (refer to Appendix 1).

The Youth Model

Custody programs in Saskatchewan, including secure custody, adhere to the components of a "youth model". These components, which are explained more fully in Appendix 2 include:

- Small group living environments
- Professional staff role
- Developmental base to the program
- Youth and staff involved as participants
- Individual focus on case management
- Some level of group process in both development and control
- Community youth workers a link to community resources
- Equal emphasis between objective of resident development and protection of society
- Special needs of youth recognized
- Utilization of community resources maximized
- Youth are maintained in or near their home communities as much as possible
- Participation of families.

Geographic Catchment Areas:

Open custody facilities are utilized on a catchment area basis. Youth from various court districts throughout the province, when given an open custody disposition, are transported to the open custody facility designated for that court district. Each catchment area has the responsibility to develop community-based services to accommodate all sentenced youth in their area so that the most appropriate resource is made available.

Network of Service:

The open custody program consists of various types of small community-based residences and a network of community homes located throughout the province (see Appendix 3). The residences are as follows:

Community Youth Residences Government-Operated:

KILBURN HALL — a government-run, secure custody facility with an open custody unit for five females. The centre provides an educational/life management program, and an institutional work placement program in food services and maintenance. Open custody youth may attend education or work programs in the community. Individual and group counselling are a daily part of the program. Recreation is provided for within the facility as well as in the community. Various professional services may be accessed through numerous agencies in Saskatoon.

YARROW YOUTH FARM — a government-run, twelve-bed facility situated on fifteen acres just outside of Saskatoon. Yarrow accommodates male youth sentenced from the Saskatoon and area court districts. The youth are responsible for the operation of the small farm and market garden. Most residents are also involved in education, community service work or employment in the Saskatoon area. Yarrow provides an individual and group counselling program and recreational activities are held in the community. Various professional services are accessed through numerous agencies in Saskatoon.

BATTLEFORD YOUTH COTTAGE — a government-run facility situated near the North Battleford Youth Centre, a secure custody facility. This twelve-bed facility is for males for the North Battleford, Lloydminster and Meadow Lake court districts. Young people are involved in educational programs or community service work in North Battleford. Individual and group counselling is provided for by staff. Referrals for mental health and alcohol/drug abuse are made through agencies in North Battleford.

CREIGHTON COMMUNITY YOUTH RESIDENCE — a government-run, twelve-bed facility for males from the northern court districts of LaRonge and Creighton. The youth residence offers lifeskills training on site. Educational facilities in Creighton and Flin Flon are utilized. Young people are involved in extensive community service work. Individual and group counselling is provided for by staff while referrals for mental health and alcohol/drug abuse are directed to various agencies. Recreational facilities are accessed in the community.

Youth Camps:

KENOSEE YOUTH CAMP — a government-run, fourteen-bed facility situated in Moose Mountain Provincial Park. Kenosee is for boys from the south-eastern part of the province and is also for youth from the Moose Jaw and Regina court districts who are more appropriate for a rural, work-oriented program as opposed to an urban one. The program emphasizes work in the Provincial Park. Educational resources are utilized either by correspondence through the Community College or attendance at Carlyle school. Individual and group counselling is provided for by staff. Referrals for mental health are made through the Weyburn Mental Health Clinic. Drug/alcohol assessments are referred to the Saskatchewan Alcohol and Drug Abuse Council.

PRINCE ALBERT YOUTH CAMP — a government-run facility of fourteen male youth from the Prince Albert, Melfort and Nipawin court districts. The facility is based on an urban camp model where the major emphasis is on community service work. Educational services are accessed in the city of Prince Albert. Counselling is made available through staff members with outside referrals made for mental health and alcohol/drug abuse through agencies in Prince Albert.

Family Services/Young Offender Shared Facilities:

DALES HOUSE — a government-run, family service facility in Regina. Dales House is a 35 bed facility which will take a maximum of five open custody youth: boys aged 15 and under and girls 12 - 17. Dales House provides reviews to youth from the southern part of the province. The youth are primarily involved in school at various educational facilities in Regina. Individual and group counselling are provided by staff.

NORTHERN GROUP HOMES — five-beds are also allocated in each of the two non-government northern group homes for boys and girls 16 and under. The Alex Bishop Group Home is located in Green Lake, the Oskietawan Group Home in Sandy Bay. Both are for northern native youth.

Non-Government Operated:

SALVATION ARMY YOUTH RESOURCE CENTRE — a non-government youth residence in Regina with 12 beds for male youth sentenced from the Regina and southwest court districts. The youth centre emphasizes community service work in Regina. Education is available through the various educational facilities in Regina. Mental Health and alcohol/drug abuse programs are offered through various agencies in Regina.

RANCH EHRLO (MCKAY HOUSE) — a non-government group home in Regina run by the Ranch Ehrlo Society. McKay House has six beds for male youth 16 and under. The youth are primarily involved in school either in the regular school system or in the school run by Ranch Ehrlo Society. Mental Health and alcohol/drug abuse programs are offered through various agencies in Regina.
Counselling is provided for by Ranch Ehrlo staff.

Private Contracts:

COMMUNITY HOMES — the Community Homes Program is a network of private homes throughout the province which provides open custody services to young people. Each home is designated as a place of open custody. Most also provide judicial interim release services to young people who would otherwise be detained in police cells or a secure facility pending a court appearance.

At present, there are twenty-nine approved homes with spaces for one or two youth in each home. These bed spaces compliment the more traditional open custody bed spaces, thus providing a range of open custody options in each catchment area. This gives youth workers the option of placing a young person in a resource which is in their area and which best suits that young person's needs.

Young Offenders Program Division
February 13, 1989

YOUTH MODEL

Small Group Living Environments

Small group living environments are employed to develop group living skills, individual accountability, home living skills and dynamic security within as normal a setting as possible.

Group Home-like Atmosphere

Many of the barriers to change created by custody are reduced by the development of a group home-like atmosphere. Environments that create a home like atmosphere enhance programs designed to help youth deal with special needs such as communication skills, self-esteem issues etc.

Family Involvement Encouraged

Programs are designed to enhance family involvement wherever possible. Parents are encouraged to participate in case planning and are an important part of the case management team while a youth is in custody. Accordingly, case conferences, case planning, home visits etc. become important activities for family involvement.

Professional Staff Role

Custody Programs employ a professional team of staff working primarily in the disciplines of education and social work. Facility Youth Workers are primarily responsible for the development and maintenance of a case plan and to this end employ the support of other helping professionals who may include community youth workers, family therapists, psychologists, psychiatrists, educators etc.

Developmental Base to Program

Many young people come into conflict with the law as a result of problems in their own lives. Developmental programs attempt to provide for the future safety of society by addressing the needs of youth.

Minimal Reliance on Physical Means to Hold

Custody programs are designed to help youth develop toward independent responsible lifestyles. They focus on responsibility and self control which acts as a balance against external, physical means to control behaviour.

Youth and Staff as Involved Participants

In the developmental programs found in Custody Facilities staff work closely with youth in group settings and through individual case management.

Individual Focus on Case Management

The circumstances leading each youth into conflict with the law are unique and each youth requires a case plan tailored to his or her needs if the issues leading to conflict are to be resolved.

Some Level of Group Process in Both Development and Control

Adolescence is a developmental stage where peers are particularly important and influential. Custody programs employ a group process to create a positive supportive environment that holds youth accountable to others for behaviour affecting others.

Community Youth Worker Link to Community Resources

As the community arm for Young Offender programs, Community Youth Workers are primarily responsible for the development of and planning for community involvements for youth.

Equal Emphasis Between Objective of Resident Development and Protection of Society

Custody programs must provide for the protection of society while providing for the special needs, guidance and assistance of young people.

Special Needs of Youth Recognized

Youth are held accountable within custody programs but not without consideration being given to their special needs.

Utilization of Community Resources Maximized

Custody programs have a strong community focus that helps young people to develop a sense of community membership. Care is taken not to reproduce in an institutional setting those resources that can be utilized in the community.

(Appendix 3)

CUSTODY PROGRAMS
YOUNG OFFENDERS PROGRAM DIVISION

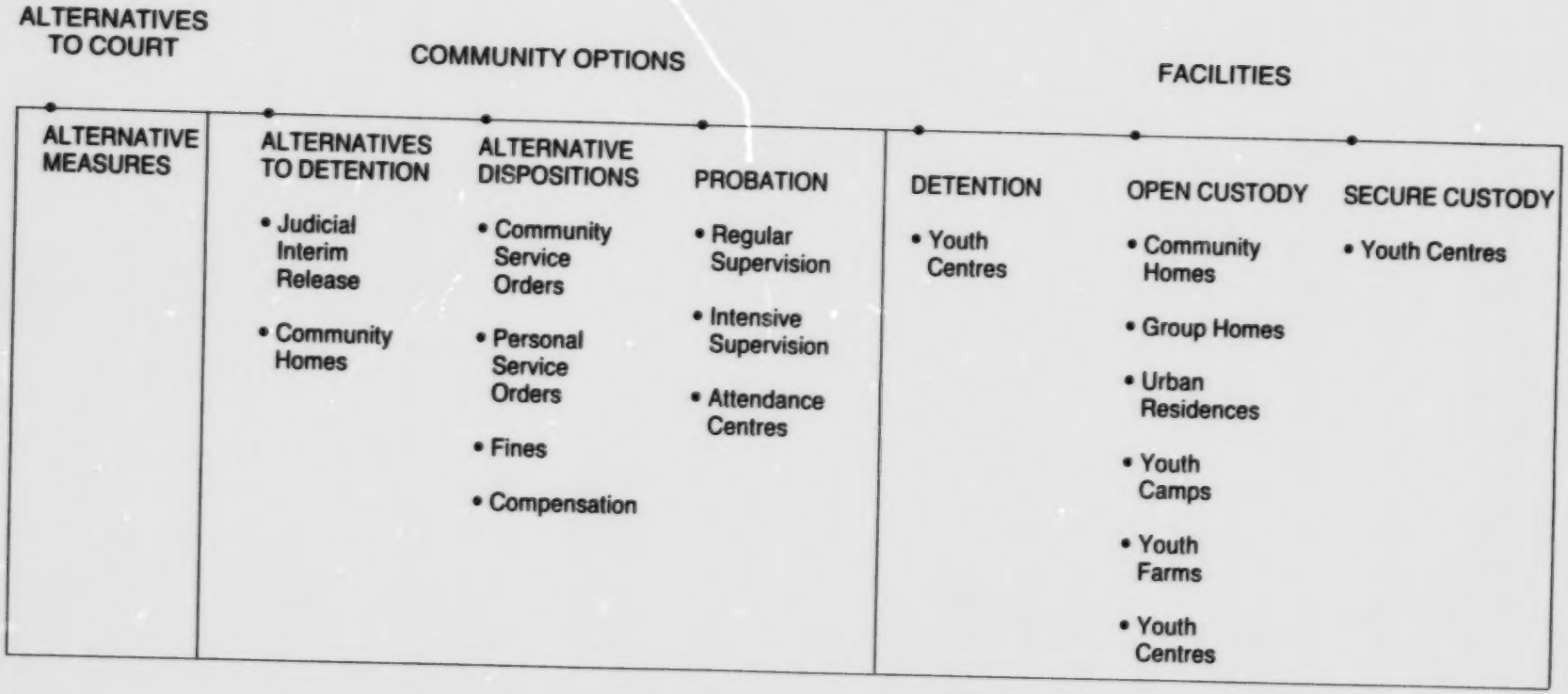
YOUNG OFFENDER CUSTODY SPACES

	Current Spaces Available		
Secure Custody			
North Battleford Youth Centre	52		
Paul Dojack Youth Centre	86		
Kilburn Hall	32	170	
Total Secure			170
Open Custody			
Community Homes*	30		
Prince Albert Youth Camp	14		
Kilburn Hall	5		
Kenosee Youth Camp	14		
Battleford Youth Cottage	12		
Creighton Community Youth Residence	12		
Yarrow Youth Farm	12	99	
NGO Open Custody			
Salvation Army Youth Resource Centre	12		
Ranch Ehrlo	6	18	
Family Services/Young Offender Facilities			
Dales House	5		
Group Home — Alex Bishop (NGO)	5		
Group Home — Sandy Bay (NGO)	4	14	
Total Open			131
TOTAL AVAILABLE CUSTODY SPACES			301

*Community Homes are also designated for Judicial Interim Release placements.

February 1989

YOUNG OFFENDERS PROGRAM DIVISION
CONTINUUM OF SERVICE



Manitoba

OPEN CUSTODY IN MANITOBA

I. INTRODUCTION

The Young Offenders Act proclaimed in April 1984, replacing the Juvenile Delinquents Act is claimed by the Federal Government and some commentators to mark a significant shift in philosophy away from the Child Welfare approach of the Juvenile Delinquents Act.

The Act is based on the philosophy that young people have the same rights to due process of law as adults, and like adults, should be held responsible for their actions. It recognizes that young people are not yet fully mature and therefore should not always be held accountable in the same manner or suffer the same consequences as adults, but clearly view the young person as a young offender rather than a child in need of protection.

The Young Offenders Act maintained a system of courts, procedures and sentences separate from that established for adults. A new disposition under the Young Offenders Act is that of "open custody".

This paper describes the approach to open custody in Manitoba, and the range of open custody facilities.

Community and Youth Corrections Mandate and Mission Statement

Manitoba Corrections is an integral part of the criminal justice system with shared responsibility for the protection of society, reintegration of the offender into the community, prevention of crime and maintenance of law and order. In its delivery of programs and services, Community and Youth Corrections is committed to the following principles:

— the rights of communities for safety and protection
— the right to the least restrictive level of intervention in the life of the offender
— the responsibility of offenders to make amends, when possible, for the harm they have done, and
— the need to develop meaningful partnerships between Corrections and the communities served.

Success in attainment of these goals will be indicated by increased involvement of volunteers and community groups in various aspects of planning, delivering and evaluating correctional services, reduction in the rate of offender recidivism, and the further development of special needs, social control and custody programs, and services which facilitate the reintegration of offenders into their communities.

II. BACKGROUND INFORMATION

A committal to custody is the most restrictive disposition that may be ordered by a youth court for a young person found guilty of an offence.

Open custody differs from secure custody in the degree of protection afforded the community and the level of institutional involvement with the youth. In **secure custody** most programming takes place within the institution. Temporary releases are used for exceptional purposes (services or programs not available in the institution) and generally individual temporary releases are not supported until the completion of a program, and for re-entry into the community at the point of a court review or termination of sentence.

When serving a term of open custody, paramount consideration is given to the use of community facilities, services and programs by the sentenced youth by way of temporary releases.

According to the Young Offenders Act, "the Youth Court shall not commit a young person to custody unless the court considers a committal to custody to be necessary for the protection of society having regard to the seriousness of the offence and the circumstances in which it was committed and having regard to the needs and circumstances of the young person".

The Young Offenders Act makes provision for the provincial government to designate places of open custody. In Manitoba, the following places have been designated as open custody facilities:

1. **Willow Centre** (part of Manitoba Youth Centre) with four cottages with a capacity of sixty youths.

2. **Crescent Centre** (part of Agassiz Youth Centre, Portage la Prairie), with two cottages with a capacity for twenty-four youth.
3. **Community Custody Homes** with a total capacity for thirty-two youths.

All youth sentenced to open custody serve their sentences in open custody facilities. Depending on the offences, previous involvements, risk factors to the community and themselves, they all have access at some point in their sentence to community programs and facilities.

III. PROGRAMS FOR YOUTH COMMITTED TO CUSTODY

The goals of Community and Youth Corrections with respect to open custody is to provide a continuum of service for youth committed to open custody. The continuum of service should reflect the principle of "least possible interference with freedom" balanced with the need to ensure that we have safe and secure communities.

To this end we are committed to:

1. a) Maintaining young offenders in their home and communities wherever possible under intensive community temporary release supervision programs.
   b) We are committed to developing more decentralized programs in areas where youth originate. To this end custody homes and temporary release programs are in place or under development in various regions across the province. In this regard over the past year (1987-88) we have relocated a significant number of community custody homes in the south to northern Manitoba. This will enable the youth to have easier access to family and live in more culturally appropriate situations.
2. Failing a community supervision program, we are committed to providing day leaves for offending youth sentenced to open custody to participate in community programs. Following assessment as to the young offender's placement needs, community risks and operator program abilities, we expect to place as many youth as possible in open custody community homes.
3. There are groups of sentenced youth who after assessment do not meet the criteria for release into community programs. We, therefore, provide two programs (Willow Centre and Crescent Centre) to meet the needs of those youth that present a significant risk to themselves or to the community.

All youth sentenced to open custody regardless of whether they serve their sentence in community custody homes or institutions, have access to community schools, community cultural, social and recreational programs, and early release to ensure their continued contacts with their families and communities. Complete restrictions to community access occur only at the point where youth are reinvolved in further criminal behavior, are pending on charges or are sentenced to open custody on serious charges. In the latter case, release to community activities and programs would be on a gradual basis.

The following is a brief description of the options considered for each committed youth:

1. Temporary Release Program

In Winnipeg, there is one staff position dedicated to the release program. He is available to supervise youth on short term or more lengthy temporary releases into the community. He is available for referrals from all Community Corrections staff. He monitors curfews, follows up with schools or employers, and provides family interventions as necessary. The temporary release monitor provides whatever is required to reintegrate the youth, smoothly and gradually into his home and community.

Brandon has developed a temporary release program to assist youth from both closed and open custody. This program uses the expertise of the custody home operator and a skilled volunteer.

Other staff in rural and northern areas are developing innovative, community supervision programs appropriate to their particular communities.

It is the intent that after two successful fifteen day temporary releases, and provided the youth has stabilized, that a recommendation for release under Section 29(1) of the Y.O.A. would be presented to the court.

2. Community Open Custody Homes

Following assessment as to the young offender's needs, the degree of risk and the abilities of the individual custody operators, we place as many youth as possible in community custody homes. The budget can accommodate thirty to thirty-two youths. Open custody operators are required to provide twenty-four hour supervision in their homes to youth sentenced to open custody. They provide follow-up to schools, treatment programs and families. They deal with daily behavior issues and help prepare youth for reintegration into the family and community. The community custody homes operate in accordance with the Custody Home Operator's Manual.

3. Crescent Centre Program

Operates on the grounds of Agassiz Youth Centre in Portage la Prairie. The Crescent Centre program accommodates male youth committed to open custody from rural and northern areas of Manitoba. The program is based on a positive peer culture model with access to community school and work program. Crescent Centre also provides specialized group programs for those youth who require assistance in the area of sexual abuse or substance abuse.

4. Willow Centre

Willow Centre is the reception program for youth committed to open custody from around the province. Willow Centre consists of:

a) **Short term unit** (OC V)
Where youth who are committed to open custody for less than three months are placed. The goal in this unit is to reintegrate the youth back into the community as soon as possible.

b) **Girls' unit** (OC III)
Accommodates girls sentenced to open custody. The girls' unit at Willow Centre has developed a level system whereby they earn special privileges according to a clearly documented system. There has been efforts made to provide relevant programming for the female youth. A large majority of these youth are from remote northern communities. To provide more culturally appropriate placement for these youth, a community custody home for girls will be operational in northern Manitoba in November 1988.

c) **General units**
Two units (OC II and OC IV) accommodate youth who have not been assessed by the Probation Officer, custody personnel, and custody support and review personnel, as ready for community placement. Some youth may be on total restrictions, others on gradual release programs, employment programs, community or in-house school programs. Recently there has been development of treatment groups facilitated by a psychiatrist from Youth Forensic Services. An intensive in-house substance abuse program is operational and under development is a program to assist youth who have been victims of sexual and physical abuse.

Youth in Willow Centre are reviewed:
a) once per month by individual probation officers and custody personnel
b) weekly by the placement co-ordinator
to determine if the youth could benefit from a move to a community custody home or into the temporary release supervision program.

IV. SUPPORT SERVICES FOR OPEN CUSTODY

Assessment and Classification

To ensure the protection of society, protection of custody home operators and to adequately meet the needs of the youth, Youth Corrections operates a youth assessment program. All youth committed to open custody are interviewed and assessed by the co-ordinator of assessment and classification prior to a formal case planning conference. The co-ordinator provides a written assessment at the case planning conference addressing the youth's maturity level, response patterns, and placement needs (structure, staff and school/employment placement).

Case Planning Conference

The case planning conference occurs within ten working days of youth being committed. It is attended by the youth counsellor, the education co-ordinator, the probation officer, the Child Welfare worker (if applicable), the parents, co-ordinator of youth assessment and the placement co-ordinator.

The purpose of the case planning conference is to:

a) review all pertinent information as it relates to the youth. This includes: legal, family, health, peer relationships, employment, school, behavior in the cottage and the assessment as prepared by the co-ordinator of youth assessments.
b) to develop an individualized custody plan;
c) to review placement options and make a decision to place a youth into one of the three designated places of open custody — custody home, Crescent Centre or Willow Centre.

The placement co-ordinator continually reviews the status of youth in the three programs to evaluate the need for any change in the placement plan.

Custody Reviews

It is the goal of Community and Youth Corrections that all youth serving a custodial sentence be released from custody as early as is appropriate. It is an administrative decision that the two thirds point of committal will be used as a time-line to review the progress of each youth.

A Section 29(1) Recommendation for release or change of disposition will be submitted to the court in all cases except where:

a) the youth is serving less than four months — in these situations Sec. 35(1) (a) Y.O.A. temporary release will be utilized to facilitate an early release.
b) the youth has outstanding charges before the court;
c) the youth clearly and consistently has refused to keep rules or participate in a relevant program plan;
d) the youth has demonstrated violence towards others;
e) there is a **clear, specific,** time-limited plan of action which indicates what can be accomplished by a youth remaining in custody beyond two-thirds of his/her sentence.

To facilitate the review process, the custody monitor reviews all young offenders who are committed to custody and approaching the completion of two-thirds of their committal. Objectives of the custody monitor are:

a) to ensure the principle of "least possible interference with the freedom, consistent with the protection of society, having regard to the needs of the young offender and the interests of their family,
b) to identify, document and direct to the attention of the Associate Director of Community Corrections, offender, program, and staff concerns as they relate to custody.

The monitoring of the youth is arranged by the custody monitor and involves custody personnel, probation officer, parents (when possible) and any other relevant persons. The initial custody plan is discussed, progress and behavior reviewed. Based on the information provided, and in accordance with the criteria for early release, a decision is made with respect to discharge. If early release is recommended, a plan is detailed and timelines are established. The custody monitor prepares the report for the Associate Director recommending:

a) the young person remain in custody;
b) be released from custody to probation;
c) the disposition be changed from secure to open custody.

Recommendations made by the custody monitor are reviewed and sanctioned by the Associate Director of Community and Youth Corrections.

The custody monitor is available for ongoing consultation with area staff concerning the review process and will facilitate this process in court.

Regional Offices

The primary responsibility for the custody programs in each area lies with the Area Director and staff. It is the task of the Area Director to assess the youth in custody from their area and develop the most suitable programs to meet their needs. **New initiatives are encouraged** and if possible within the budget, will be supported financially.

If an Area Director has custody homes in his area, a home support worker is designated to supervise the daily operation of the custody homes. Supervision of the home is in accordance with the Custody Home Operators Manual.

This decentralized approach to custody can respond more readily to cultural and socio-economic differences in each community.

Ontario

OPEN CUSTODY IN ONTARIO

I. BACKGROUND

The proclamation of the **Young Offenders Act** (YOA) in April 1984, marked the end of an era in Canada's administration of justice. The YOA represents a radical departure from its predecessor, the **Juvenile Delinquents Act** (JDA). The juvenile delinquent under the JDA had often come to the attention of the justice system for activity that would not have been criminal for adults. Running away from home and truancy from school, for example, were status offences that were often invoked under the guise of the juvenile's "best interests".

The YOA attempts to balance the responsibilities and rights of both the young offender and society. It contains a "Declaration of Principle" designed as a built-in aid to interpretation for those involved in the administration of the Act. Its major guiding principles include:

- that young persons should be held responsible for their behaviour but not wholly accountable because their state of dependence and development creates special needs requiring guidance and assistance;
- that society has a right to protection from the illegal behaviour of young persons;
- that alternative measures be considered when appropriate and consistent with the protection of society;
- that removal of young offenders from home should occur only when measures that might continue parental supervision are inappropriate; and
- that young persons have rights and freedom equal to those of adults, including a right to the least possible interference with freedom consistent with the protection of society.

II. IMPACT ON THE MINISTRY OF CORRECTIONAL SERVICES

The proclamation of the YOA did not directly impact on this ministry until the Uniform Age Provision came into effect on April 1, 1985. The YOA has responsibility for the criminal actions of 12-17 year old Canadians. In Ontario, this requirement brought about a dramatic change.

Under the JDA, delinquents had been those offenders aged 7-15 years, and they were the responsibility of the Ministry of Community and Social Services (MCSS). Under the YOA, MCSS remains responsible for 12-15 year old offenders (Phase I) while the Ministry of Correctional Services continues to handle 16 and 17 year olds (though it must treat them as young offenders now) (Phase II).

Two sections of the YOA required immediate attention by the ministry when the Act's Uniform Age Provision came into effect:

i) a new disposition called open custody was created;
ii) young offenders were to be kept separate and apart from adult offenders;

The concept of placing an offender in a community residence is not new to the ministry. Community Resource Centres (CRCs) has been operated by the ministry for many years. Indeed, prior to April 1, 1985, CRCs housed 16 and 17 year olds offenders together with those 18 and older. The judiciary did not have decision-making authority over this placement. Under the YOA, however, open custody is a specific disposition for young offenders. Moreover, the requirement that young offenders be housed separately from adults means that existing CRCs cannot be used as open custody residences.

Two years have passed since this ministry was required to provide open custody residences for young offenders. Since that time we have established 50 fully funded agency operated open custody residences providing 509 beds in the province. The ministry also directly operates a 28 bed forestry camp for young offenders with a disposition of open custody. These residences are operated by community agencies under contracts with the ministry. The ministry also supports a number of individual home placements to be assisted by families and Native bands in remote areas of the province. Two open custody facilities are operated in Cochrane and Chesley primarily for Native young offenders.

Currently open custody residences accommodate 4 groups of youths as follows:

— those given a disposition involving open custody (either directly or upon review from secure custody).
— those apprehended by police for non-payment of fines under the Provincial Offences Act.

— those placed on probation with a condition ordering an approved residential living situation.
— several residences are also designated as places of open detention — for those awaiting disposition in youth court. The youth is initially placed in secure detention and subject to a rigorous assessment, may be assigned to an open setting.

III. YOUNG OFFENDERS ACT — STATEMENT OF PHILOSOPHY

The primary mission of the Ministry of Correctional Services is to provide custody, community supervision, and information/reports as directed by the courts and as provided for in federal and provincial legislation governing correctional services in Ontario. With respect to young offenders, the ministry is providing a continuum of care and services necessary to afford young offenders the opportunity to assume responsibility for their actions and to enhance their capacity to function in a socially acceptable manner. The ministry brings to the implementation of the Young Offenders Act fundamental principles which guide all its operations. These include:

1. Any aspects of service or intervention on the part of ministry staff is regarded as one aspect of a larger continuum of care resulting in ongoing assessment, classification and program planning.
2. All services are provided in a positive climate to engender positive personal and social adjustment on the part of young offenders through ongoing staff training and development.
3. The use of incarceration is perceived to be a sanction of last resort.
4. The least interference possible is exerted upon young offenders in order to provide them with service and/or assistance.
5. The quality of services provided is monitored on an ongoing basis through program review and evaluation.
6. The ongoing involvement/participation of the local community in the care of young offenders is ensured.

The focus of this ministry is habilitative and where appropriate rehabilitative. We attempt to improve the ability or capability of young offenders to function in acceptable fashion within society.

IV. PROVINCIAL REGIONS AND BREAKDOWN OF BEDS

The ministry's Operations Division administers all correctional programs in the province through five regional offices. Each regional office has responsibility for administering the full range of correctional services, from probation and parole supervision to secure detention and custody.

BREAKDOWN OF YOUNG OFFENDER OPEN CUSTODY BEDS

	# Male Beds	# Female Beds	Total Beds	# of Residences
Metro Region	123	12	135	14
Central Region	70	10	80	8
Eastern Region	74	10	84	12
Western Region	149	11	*160	10
Northern Region	65	11	76	7
	481	54	535	51

*includes 28 beds at Camp Dufferin.

V. PROGRAMS FOR YOUTH IN OPEN CUSTODY

In order to meet the special needs of young persons with open custody dispositions, the ministry has embarked on extensive program development both in-house and through the utilization of existing resources in the communities. The ministry's major thrust towards the

involvement of the community in Corrections is reflected in the use of programming outside of the residences such as recreation, school, employment, vocational training, special community projects, psychological or psychiatric assistance, home visits and drug/alcohol treatment.

In-house programming for young offenders may include orientation, daily meetings, family nights, life skills, skills for the workplace, hobby, craft and game activities, co-operative living exercises, staff and peer evaluations and chaplaincy services. In addition, many open custody residences offer in-house educational programming provided by the local Board of Education for academic upgrading.

VI. FAMILY AND BAND ASSISTED BEDS

The Ministry of Correctional Services introduced a residential initiative in 1986 known as Family/Band Assisted residences. The purpose of this initiative was to expand the number of beds in selected communities which would provide family-like supportive care.

VII. RESIDENTIAL STANDARDS

With the corporate thrust of the Ministry of Correctional Services to develop and expand community-based programs as an alternative to incarceration, residential programs will play a key role in the provision of these services. Accordingly, the corporate plan calls for the expansion of community-based residences both for adult offenders and young offenders during the next 5 years.

At this time of expansion of community residential services the ministry has also undertaken the task of the development of residential standards to ensure a commitment to quality in the residential programs provided through a partnership with private agencies.

The development of standards for the total delivery system of community-based residential programs encompasses a broad spectrum of components covering the following areas:

1) **Organization and Management**

Clear organizational structure and sound management practices provide the foundation to the provision of residential services. Standards will address the minimum required components in overall organization and management practices to ensure that the operation of a residential program has a strong and viable base.

2) **Human Resources**

This section recognizes that the most important factors in the delivery of residential services for offenders are the quality and competency of the workers dealing with the residents on a day to day basis. The standards related to personnel and human resources seek to safeguard the security and safety of residential workers while ensuring the development and enhancement of their skills through regular supervision and ongoing training. The standards also stress the importance of good working relationships through clear definition of roles and responsibilities and conditions of employment that meet with the requirements of the **Ontario Human Rights Code.**

3) **Physical Plant**

Standards and guidelines in this area address issues related to the physical well-being and safety of the residents to provide an environment for day to day living which is conducive to their rehabilitation, and ensure a minimum acceptable level of care. The statement of standards and guidelines will supplement in most situations existing local regulations and by-laws related to health, fire and safety to ensure adequate protection while allowing for flexibility in design and use of facilities.

4) The development of community-based resources brings with it the importance of ensuring good working relationships between the agency and the community in which it is located and serves.

Standards and guidelines identified in this category, will encourage agencies to establish linkages with community groups and involve individual members of the local communities in a number of activities to foster community acceptance and support for dealing with the offender in his/her own community. The standards will also require active

liaison with community resources and organizations to ensure the preparation of the offender for discharge through the use of community resources that will continue to be available as a support network following his/her stay in a residential program.

5) **Programming**

Programming is an area that constitutes the core responsibility in the provision of services to offenders by this ministry through its partnership with agencies. The features of this group of standards emphasize:

a) Active encouragement to agencies to make maximum use of the period of residency to address the needs of the residents in providing effective programs in combination with the helping potential of the community.
b) Acceptable practices for gathering information and assessment to determine and priorize the resident's needs that can be addressed.
c) The requirement for a written individualized time-limited plan involving the resident to establish obtainable goals while he/she is in the residential programs.
d) A method of monitoring progress and reassessing needs of the resident to ensure that the services continue to be relevant to the offender's needs.
e) The preparation of the resident for discharge, a process which is to commence with an initial assessment.

VIII. COMMUNITY OPPOSITION TO THE PRESENCE AND ESTABLISHMENT OF CORRECTIONAL GROUP HOMES

A provincial group home policy approved in 1978 promoted the provision of group homes by municipalities by allowing group homes as a permitted use in residentially zoned areas under municipal zoning by-laws. In recent years, community opposition has been escalating as a result of negative press with regard to the **Young Offenders Act,** change in societal attitudes and recent experiences in federally operated halfway houses. As a result, municipalities are over-reacting to public pressure and are proposing official plans which repeal the right-of-access which allowed equivalent status to all group homes in residential neighbourhoods.

In order to address this issue the ministries of Correctional Services, Community and Social Services and Health are proceeding under the leadership of the Ministry of Municipal Affairs to make a cabinet submission to highlight the key issues and to seek cabinet direction to develop a Group Home Policy Statement of provincial interest which would have an effective status in the provincial process of approving official plans of municipalities under the authority of Section 3 of **The Planning Act.**

IX. SPECIAL NEEDS

Section 3(c) of the **Young Offenders Act** states that:

"young persons who commit offences require supervision, discipline and control, but, because of their state of dependency and level of development and maturity, they also have special needs and require guidance and assistance;"

Numerous situations have been encountered where young persons with serious behaviour problems, psychiatric and emotional difficulties, developmental handicaps, and specific treatment needs have been placed in open custody residences.

As a result, special needs funding was made available to provide a variety of services:

— one to one staffing in high risk/crisis situations;
— enhanced internal programming;
— additional services in community i.e. family therapy sessions, sexuality counselling;
— specialized programming i.e. escorted T.R.'s to visit family, cultural events/native programming, escorted T.R.'s for specialized medical/psychiatric treatment out of town;
— enhanced counselling services through increased staffing ratios as well as extensions to existing psychological services contracts.

Continuation and expansion of this funding, in keeping with the principles and philosophy of the **Young Offenders Act** will allow difficult to serve youths to access the special services which they require.

Quebec

LA GARDE OUVERTE AU QUÉBEC

1. Choix fondamentaux

L'approche québécoise à l'égard de la clientèle des jeunes contrevenants met l'accent sur les objectifs rééducatifs des interventions professionnelles au cours de la période de mise sous garde imposée par le Tribunal.

Cette orientation entraîne notamment les conséquences suivantes :

1) les services aux jeunes contrevenants (12 à 18 ans) relèvent principalement du ministère de la Santé et des Services sociaux, par opposition aux contrevenants adultes qui sont pris en charge par le ministère de la Sécurité publique;
2) l'exécution de la plupart des décisions du Tribunal à l'égard des jeunes contrevenants (et particulièrement l'envoi sous garde) sont de la responsabilité du directeur provincial, lequel, au Québec, est également directeur de la protection de la jeunesse;
3) les établissements désignés par le Québec pour assurer la garde des jeunes contrevenants sont les mêmes centres de réadaptation qui offrent leurs services à tous les jeunes de 0 à 18 ans;
4) comme tous les autres jeunes qui bénéficient des services du système québécois, les jeunes contrevenants sont l'objet d'un plan de services professionnels adapté à leurs besoins individuels et ont accès aux mêmes ressources rééducatives dans la mesure du respect des obligations de garde.

2. Historique

Le choix du Québec est antérieur à l'entrée en vigueur de la Loi sur les jeunes contrevenants. À partir de nombreuses installations privées allant de l'orphelinat à l'école de réforme, le Québec s'est doté au début des années 1970 d'un réseau intégré d'établissements publics relevant du M.S.S.S. et desservant la clientèle jeunesse.

Dans le secteur délinquance particulièrement, les années '50 ont soulevé des scandales face à l'incarcération des jeunes dans les prisons adultes, ce qui a entraîné la création de centres sécuritaires pour les jeunes.

La transition de l'approche détention à l'approche rééducation s'est faite progressivement au cours des années '70, appuyée par la récupération des initiatives privées par le secteur public ainsi que par le virage majeur imposé par la Loi sur la protection de la jeunesse.

L'entrée en vigueur de la Loi sur les jeunes contrevenants ne bousculait donc pas la pratique québécoise de rééducation des jeunes contrevenants.

3. Réseau de garde

Le tableau suivant dresse la liste des 39 établissements désignés par le Québec pour assurer des services de garde et de détention provisoire à l'égard des jeunes contrevenants.

Tous ces établissements peuvent assurer la garde ouverte alors que certains ont également un mandat de garde fermée et de détention provisoire.

Les quelques 4 000 places disponibles reçoivent toute la clientèle jeunesse dont l'intervention exige un hébergement dans le processus rééducatif. Un nombre restreint de ces places sont occasionnellement utilisées dans des situations d'urgence sociale.

À la lumière des relevés d'occupation des places au cours des dernières années, on peut partager ainsi les clientèles hébergées dans ces établissements :

— 80% en vertu d'un mandat social;
— 20% en vertu d'un mandat judiciaire.

Par ailleurs, la clientèle des jeunes contrevenants se répartit ainsi, selon la nature de la garde :

— 42% - garde en milieu ouvert;
— 41% - garde en milieu fermé;
— 17% - en détention provisoire.

On estime que la moyenne de durée des séjours en milieu de garde des jeunes contrevenants se situe autour de 9 mois.

LISTE DES ÉTABLISSEMENTS DÉSIGNÉS SELON LES RÉGIONS ET LES TYPES DE DÉSIGNATION

RÉGION	ÉTAB. DÉS. / TYPES DE DÉS.	DÉTENTION PROVISOIRE	GARDE EN MILIEU OUV.	GARDE EN MILIEU FERMÉ	CLIENTÈLE M/F	PLACES
01	Les-Amets	X	X	X	M F	48
	Centre Relais Jeune Est	X	X	X	M F	64
02	Institut St-Georges	X	X	X	M F	64
	Institut La Chesnaie Inc.	X	X	—	M F	5
03	C.A. L'Escale	X	X	X	F	111
	Centre Jeunesse de Tilly	X	X	X	M	60
	C.A. Cinquième Saison	—	X	—	M	175
	Mont d'Youville	—	X	—	M F	150
	C.A. Pavillon des Jeunes	—	X	—	M	84
	C.A. Le Phare	—	X	—	M	36
	Mont St-Aubert	—	X	—	M F	78
04	Les Pavillons Laforest Inc.	X	X	X	M F	53
	Ville-Joie St-Dominique	X	X	—	M F	124
05	Relais St-François Inc.	X	X	X	M F	88
	Institut Val-du-Lac Inc.	—	X	—	M F	95
06A	C.A. La Cité des Prairies	X	X	X	M	186
	C.A. Cartier Inc.	X	X	X	M	142
	Maison Notre-Dame de Laval	X	X	X	F	142
	Centres Jeunesse Shawbridge	X	X	X	M F	159
	Habitat Soleil	—	X	—	M F	98
	C.A. des Quatre Vents Inc.	—	X	—	M	76
	Boscoville	—	X	—	M	95
	Mont St-Antoine Inc.	—	X	—	M	232
	Villa Notre-Dame de Grâce	—	X	—	F	72
	C.A. Ste-Domitille	—	X	—	M F	97
	Horizons de la Jeunesse	—	X	—	M F	161
	Dominique-Savio-Mainbourg	—	X	—	M F	202
	Rose-Virginie Pelletier	—	X	—	M F	146
06B	Pavillons Jeunesse	X	X	X	M F	60
	C.A. des Laurentides	X	X	—	M F	163
	Accueil Vert Pré Huberdeau	—	X	—	M F	82
	C.A. St-Joseph de Joliette	—	X	—	M F	63
06C	Les Pavillons Bois-Joly	X	X	X	F	78
	Centres Jeunesse Montérégie	X	X	X	M	96
	Elan Jeunesse	—	X	—	M F	129
07	Les Jeunes de l'Outaouais	X	X	X	M F	126
08	Centre d'Orient. l'Etape	X	X	X	M F	107
	Maison Rouyn Noranda Inc.	—	X	—	M F	109
09	C.R.I.C.N.	X	X	—	M F	80

L'aménagement spécifique des locaux, les plans de services individuels, des taux d'encadrement différents et des mesures de sécurité adaptées à chaque type de clientèle apportent aux établissements la versatilité requise pour satisfaire autant les obligations de service que les mandats de garde.

La décision particulière de confier le jeune en garde ouverte de façon discontinue est relativement peu fréquente au Québec. Néanmoins, quatre centres d'accueil ont prévu l'aménagement de quelques places pour ce type d'hébergement. Un projet pilote est actuellement en cours pour évaluer cette formule et les conditions de son utilisation.

4. Accueil

À son admission dans le centre d'accueil désigné par le directeur provincial, le jeune contrevenant est placé dans une unité d'observation pendant une période de 1 à 2 mois. Chaque unité du centre présente des caractéristiques particulières en termes de clientèle, d'encadrement et de programme d'activité. Cette période d'observation permet de mieux

faire le choix de l'unité qui correspondra le mieux aux besoins du jeune pendant son séjour.

Au terme de cette période d'observation, l'équipe d'éducateurs, avec le concours du délégué du directeur provincial et des spécialistes (psychologues, psycho-éducateurs, travailleurs sociaux), qu'on a pu mettre à contribution, procèdent à une conférence de cas où on détermine le plan de services, soit les objectifs visés, les moyens envisagés, les intervenants impliqués, les étapes de réexamen ainsi que l'unité qui apparaît la plus appropriée au séjour compte tenu des caractéristiques du jeune et des objectifs de réadaptation. Dans la mesure du possible, les parents et les autres ressources du milieu susceptibles de contribuer au plan de traitement sont appelés à participer à la conférence de cas.

5. Services pendant le séjour

Selon les objectifs de son plan de services, le jeune contrevenant pourra avoir un accès libre ou contrôlé aux activités du centre d'accueil : sports, loisirs, sorties.

Les jeunes contrevenants sous garde ouverte et d'âge scolaire peuvent poursuivre leur apprentissage scolaire avec les élèves des classes régulières. Pour les plus âgés, des ateliers d'apprentissage technique peuvent leur permettre d'acquérir des habiletés spécifiques.

Sur le plan médical, la plupart des centres disposent des services sur place d'une infirmière. Certains ont prévu des visites médicales régulières ou encore ont conclu des ententes assurant la présence d'un médecin sur appel ou un accès prioritaire aux services de santé publics dans les cas d'urgence.

Le même type d'entente est possible avec des institutions ou des cabinets privés afin de fournir aux résidents des services de consultation ou de traitement psychologique ou psychiâtrique.

Quelques établissements ont développé des ateliers qui remplissent des contrats de service ou de fourniture de biens et permettent aux résidents de développer des habiletés de travail et accessoirement se mériter un petit revenu.

6. Réinsertion

Avant la fin du séjour, une nouvelle conférence de cas fera l'évaluation de la démarche de réadaptation par rapport aux objectifs fixés. De nouveaux objectifs et de nouveaux moyens viendront supporter le processus de retour dans le milieu. Certaines ordonnances du Tribunal de la jeunesse prévoient d'ailleurs une période de garde ouverte au terme de la garde fermée pour favoriser les mesures de réinsertion.

Chaque centre d'accueil a développé différents types de ressources dont l'utilisation peut être graduée en fonction des besoins du jeune et des objectifs visés: foyers de groupe, familles de réadaptation, appartements supervisés.

Parallèlement à cette réinsertion physique dans un milieu de moins en moins institutionnel, le milieu est mis à contribution dans le plan de réinsertion: les parents, l'école, les clubs sociaux, les centres de main-d'oeuvre, les regroupements de jeunes et même les entreprises ou commerces locaux.

7. Préoccupations actuelles

La versatilité qu'on exige du réseau des centres d'accueil n'est pas sans soulever des difficultés d'application, particulièrement dans les régions à faible densité où on retrouve des clientèles diverses avec des caractéristiques culturelles spécifiques.

Les dossiers de violence plus lourds des jeunes, l'augmentation des évasions et l'épuisement du personnel d'encadrement commandent de questionner certains choix.

La pression populaire et les frustrations du système judiciaire attaquent aussi les positions de principe face à cette clientèle et des ajustements du système pourraient être envisagés.

New Brunswick

OPEN CUSTODY IN NEW BRUNSWICK

Community-based Open Custody Homes

Open Custody Services in New Brunswick are provided by the Department of Health and Community Services through a purchase of service agreement with the Department of the Solicitor General, which has full legal and budgetary accountability for the YOA in the province. The purposes of this agreement are 3-fold.

1. The two departments shared a close working relationship prior to the inception of the YOA. Health and Community Services provided an aftercare service to youth exiting from the Training School but still under Justice. Over 60% of all youths committed to the training school were known to both departments.
2. Health and Community Services already managed the resources appropriate for open custody. Development of separate resources would have meant duplication.
3. The Department of the Solicitor General desired that youths in open custody receive case management service similar to children in the child welfare program. This was reinforced by the fact that many of the facilities are multi-use, serving both young offenders and children in care.

There are three advantages for using multi-use settings:

1. In a province with limited resources, multi-use facilities offer greater placement flexibility, as well as aftercare option.
2. The community perceives the home as a child welfare resource. The young offender stigma is diminished.
3. The mix of statuses (YOA and Child Welfare) allows the operator to focus primarily on underlying treatment dynamics. Status is secondary. Both groups have the same treatment needs.

Both foster homes and group homes are used as open custody settings. All group homes are operated by private agencies, which Health and Community Services approves and monitors. All foster homes are designated as a class, while group homes are designated individually by the Solicitor General at the request of the Minister of Health and Community Services.

Most group homes are set up for 6 youths. Out of 10 group homes currently in use, 5 are exclusively for young offenders and 5 are multi-use, providing from one to four open custody beds per home, for a current total of 42 beds. Eight of the homes are in urban settings. Six more group home beds should be operational by April 1, 1989. In addition, a Native group home under development on one of the reserves will serve 2 Native young offenders.

There are approximately 35-45 youths in foster homes at any one time. Foster homes are paid $660.00 per month per youth, plus seasonal benefits that are also available to other foster parents in the province. Group home budgets are determined individually and paid on a monthly basis. A typical group home per diem is around $100.00 a day. All expenditures for the open custody program are charged back to the Solicitor General.

Residential programs are developed independently by all operators in compliance with both foster and group home operator standards of the Department of Health and Community Services as well as jointly developed open custody standards. Most residential programs are based on behaviour modification principles.

Every youth placed in open custody has a daily temporary absence valid for the length of his sentence, that permits the youth to participate in school and a variety of community programs. Youths preparing to return home also receive, when ready, a temporary release for up to 15 days. Older youth not in school are expected to work or be actively seeking employment.

As with children in care, natural parents are encouraged to visit the youth in the open custody setting.

As mentioned earlier, case management services to young offenders conform to child welfare principles, and are provided by the YOA social worker, an employee of the Department of Health and Community Services in each regional office. Duties of the YOA social worker are attached as an Appendix.

A section of the open custody service standards permit the Department of Health and Community Services to remain involved with the youth and his family following the expiry of the open custody disposition.

For youth under 16, provisions of the **Family Service Act** can be invoked to take a child into care or supervise the family as a mandatory protection case. For youth over 16, continued involvement must be voluntary.

Aftercare is often sought to maintain the youth's placement in the foster or group home setting in order to continue to benefit from the program. This works best in foster homes, and, to a lesser extent, in multi-use group homes. As more exclusive open custody group homes are developed, this option will diminish, as the youth must leave the setting when his sentence expires.

APPENDIX B
DUTIES AND FUNCTIONS OF THE Y.O.A. SOCIAL WORKER

1. The Y.O.A. Social Worker will be responsible, alone or in consultation with other Social Service staff, to develop community based residential resources through:
   (a) identifying the type and number of resources required;
   (b) converting existing resources for children to open custody settings;
   (c) recruiting new resources;
   (d) negotiating for support services for these resources from other community agencies, government departments, etc.;
   (e) providing or ensuring provision of training
2. The Y.O.A. Social Worker will liaise with the Youth Worker to identify the need for and availability of specific resources for a young offender for whom the Youth Worker intends to recommend a disposition of open custody.
3. The Y.O.A. Social Worker will select the resource and notify the operator of the pending placement.
4. The Y.O.A. Social Worker will ensure that the operator receives a copy of the pre-disposition report on the young offender at the time of placement.
5. The Y.O.A. Social Worker will provide case management services through supervision of the young offender and support services to the care provider while one young offender is under an open custody disposition.
6. The Y.O.A. Social Worker will keep the Youth Worker informed of the young offender's progress while in open custody, for the purposes of providing reports to the Court, as well as informing the Youth Worker as soon as possible of incidents of escape, serious misconduct or violation of conditions of the temporary release, for the purposes of deciding whether to alter the conditions of placement or transfer the young offender to another place of custody.
7. The Y.O.A. Social Worker will provide, or negotiate with other staff of the Department of Health and Community Service, as appropriate, to provide services to the youth's family. The Y.O.A. Social Worker will also determine the need for ongoing services from the Department, when the disposition expires, if the young offender has had no previous status with the Department.
8. The Y.O.A. Social Worker will negotiate for other needed support services to the young offender from appropriate community resources.

Prince Edward Island

OPEN CUSTODY IN PRINCE EDWARD ISLAND

A. Background

INTRODUCTION

On April 2, 1984, the **Young Offenders Act** (YOA) was enacted into law by the Government of Canada. The enactment, however, applied only to those young offenders who were previously considered as juveniles under the **Juvenile Delinquents Act** (JDA). In Prince Edward Island, this meant the immediate enactment of the Act for young offenders 12 to 15 years of age. The 16 and 17 year olds were still considered adults and were dealt with accordingly until April 1, 1985 when the YOA was applied to all young offenders aged 12 to 17 years.

TRANSFER OF RESPONSIBILITY TO MINISTER OF JUSTICE

Prior to the enactment of the YOA, 12 to 15 year olds were the responsibility of the Minister of Health and Social Services. Due to the small numbers involved, Prince Edward Island had never operated custodial facilities for juveniles. Past practice involved the purchase of programs and bed space from another province: from Nova Scotia (Shelburne School for Boys, Truro School for Girls).

A cabinet decision in April, 1984 transferred the responsibility for all young offenders to the Minister of Justice.

DECENTRALIZED SERVICE DELIVERY

Cabinet decided to construct three youth centres: a 32 bed Secure Centre in Summerside opened November 28, 1988. Two Open Custody Centres; an eight bed Centre in the Village of Tyne Valley opened March 1989 and an eight bed expandable to a 16 bed Centre in the Town of Georgetown opened January 20, 1989. Two community based programs were also sanctioned and assigned to the Young Offenders Section: the Alternative Residential Placement Program and the Community Youth Worker Program.

B. Legal/Program Definition

Prince Edward Island made a conscious decision to separate offenders sentenced to open custody from those sentenced to secure custody. The only situations where a youth sentenced to open custody would be placed in a secure centre would be by virtue of 24.2(3) **YOA** Temporary Detention or 24.2(9) **YOA**, Transfer to Secure.

SECURE CUSTODY

'Secure Custody' 24.1 **YOA** is interpreted on Prince Edward Island to mean a Centre with the capacity to physically contain a young offender against his will if necessary. Such containments can be achieved by the security inherent in construction design, or by the level of staff supervision, or both.

OPEN CUSTODY

'Open Custody' 24.1 **YOA** is interpreted to mean settings like community based child welfare/residential group homes, foster homes or wilderness camps. The distinct difference from 'secure custody' being the lack of physical or human resources to detain the young offender against his will and the obvious greater degree of access to the community.

ARP

'Open Custody' includes 'Alternative Residential Placement', i.e. foster homes, supervised room and board, group foster care, relative placement.

CYW

'Community Youth Worker Program' is a provincial program wherein one to one staff are assigned to young offenders on probation; those serving open custody in alternative residential placements and those discharged from Youth Centres. This program is viewed as preventive in terms of diverting high risk probationers from entering custody and helping those in community placement or fully released from returning to custody. The CYW and ARP Programs are the responsibility of a Coordinator plus six full-time line staff.

C. Operational Philosophy

STATEMENT OF PHILOSOPHY, THEORY AND METHOD

To act as a foundation for the development of young offender custody programs within the province, a Statement of Philosophy, Theory and Method was developed. This document outlines a series of beliefs, principles, theoretical perspectives and methods to be emphasized when delivering services to young offenders. The operational approach focuses upon: the unique and inherent value of each individual; helping relationships as the vehicle to elicit change and methods which enhance self awareness, self esteem, and a renewed desire for learning. For further detail see Appendix I.

D. Staffing Model

NEED FOR QUALIFIED STAFF

In attempting to successfully deliver custody programs in accordance with operational philosophy and methods, well qualified staff are critical. Staff must be caring, must be able to respond to the behavior as well as the special emotional needs of young offenders. They must be skilled in the delivery of service on a one-to-one basis, as well as in a group. Staff must be able to deal with a variety of issues such as: family dysfunction, group dynamics, crisis intervention, life skills, discipline, case management, program activities, etc. etc. They must have strong interpersonal skills and the proven ability to engage youth in positive, trusting relationships.

TEAM WORK

Also critical to the successful delivery of service is good staff communication and consistency; both ingredients being characteristics of a strong team approach. The Open Custody Centre, not unlike the Secure Custody Unit, must become a group living situation wherein staff and residents interact on a predictable and intense level, rather than on an institutional or superficial basis.

SHIFT PATTERN

Each of the eight bed Open Custody Centres are staffed with a minimum of two youth workers per eight hour shift.

STAFF COMPLEMENT

Beyond the youth workers, there are: one youth worker/academic, one supervisor, one manager, one admin. secretary and the equivalent of two full time relief employees per Centre.

INTERACTIONAL MODEL

In keeping with a strong emphasis upon relationship building and an interactional approach, it is the expectation that all Centre employees interact with residents on a daily basis.

E. Programs

WITHIN CENTRES TYNE VALLEY AND GEORGETOWN

1. **Casework Process**

The casework process involves a series of stages; (i) making contact; (ii) assessment; (iii) formulation of plan; (iv) action; (v) evaluation; (vi) reassessment or termination. The casework process begins at admission. The first two weeks are devoted to preparation of an assessment report followed by a case conference and the development of a case plan (i.e. Personal Program Plan). Progress Reports are prepared monthly and a subsequent case conference is held. Persons always in attendance at case conferences are: primary worker, parent/guardian, young person, and probation officer.

2. **Daily Routine**

The structure for the Centre is very detailed beginning at 7:15 a.m. and ending at 11:15 p.m. daily. Staff and residents are responsible for all cleaning and cooking activities, no janitorial or food service personnel are attached to the Centre.

3. **Temporary Release**

For youth in open custody, 'temporary release' may take three forms: 'Day Release' with permission absent from place of custody between hours of 6 a.m. and 12 midnight. 'Temporary Absence' — This type of release would involve a time period greater than between 6 a.m. and 12 midnight. 'Pre-Release Leave' — Any period of time youth is absent from his place of custody during the last fifteen days of custody disposition.

Youth are eligible for day release after initial two week assessment period; temporary absence after one third of sentence or two months, whichever is greater. Temporary release is used to secure medical attention, family visitation, compassionate grounds, to access specialized assessment/treatment services, for transfer to community placement on trial basis, accessing school/employment/training, pre-release leave.

4. **Internal Education Program**

The philosophy of the Centre Education Program is to provide students with the skills and/or knowledge to function in society.

During the initial two week period, medical, social, psychological, and educational assessments are completed. The youth worker/academic is responsible to complete the educational component.

The purpose of the assessment is to: (i) screen for learning disabilities; (ii) to determine the most appropriate learning environment; (iii) to design individual educational plans. The range of academic/training programs include: (i) in-Centre academic program (i.e. math, language arts, exploratory workshop, life skills, Island studies, independent studies, computers, physical education); (ii) Grade Equivalency Diploma; (iii) correspondence course; (iv) individual tutoring; (v) outside Centre school placement; (vi) community job/training placement.

5. **Block Sessions**

Block Sessions are evening programs run on Tuesday and Thursday evenings between the hours of 7:30 and 9:30 p.m. The themes covered in these sessions are: crime prevention, alcohol and drug awareness, work orientation, human sexuality, nutrition, mental health, life skills, first aid and CPR. The sessions are modularized and vary from 6-16 sessions per theme. Once one theme is completed, the next automatically begins. Many outside resources are utilized (i.e. guest speakers, films, reading-visual materials, volunteers) in the delivery of these programs.

6. **Arts and Crafts**

This program runs every Wednesday evening. The program is delivered by Centre staff, volunteers, contract personnel. The range of activity includes woodworking, general painting, ceramics, leather works, pottery. This program encourages individual expression by the youth and can provide for some projective insights, especially with particularly non-verbal youth.

7. **Fellowship**

This program has been established to aid the youth in exploring his/her spiritual self. This program is non-denominational, utilizing local clergy. Meetings are held once per month on Sunday mornings. The list of topics/themes includes: friendship, honesty, trust, hope, life and death, foregiveness, and courage. Any youth and staff who wish to attend regular church services are encouraged to do so over and above the fellowship program.

8. **Active/Passive Recreation**

Time is provided two evenings per week and one day per weekend for active recreation (e.g. floor hockey, canoeing, baseball, etc.) These recreation programs take place in the community. Youth are also encouraged to join local sports teams/youth clubs.

Passive recreation is planned daily and allows for: board games, cards, reading, letter writing, music. This helps to provide periods of calm as well as diversify passive leisure away from purely T.V. entertainment.

9. **Alternative Residential Placement Program**

Access to all community programs is encouraged (i.e. school, work, sports, etc.). Linkages to normal community youth activities is viewed as a measure of the young person's readiness for full case termination/service closure.

10. **Community Youth Workers Program**

Community youth workers may be assigned to youth serving open custody in the community. These staff provide: (i) individual counselling; (ii) life skills coaching; (iii) education/employment support; (iv) academic tutoring; (v) crisis intervention. In addition to one-to-one activity, weekly educational and recreational activity is planned and supervised by community youth workers on a group basis.

F. Community/Parental Involvement

PARENTAL INVOLVEMENT

Parent are viewed as partners in the treatment process. The Centre and ARP programs are not viewed as a substitute for family care, rather a supplement to it. Avenues for parental involvement are: (i) notification of all incidents; (ii) consultation on all major program changes; (iii) regular visitation; (iv) participation in case conferences; (v) receive copies of all progress reports, personal program plans, discharge summaries, medicals; (vi) information sessions/self help groups; (vii) referral for family, addictions, marital support services as required; (viii) referral to follow-up programs once son/daughter is discharged.

COMMUNITY INTERACTION

Open custody programs are viewed as the stepping stone to a young person's full return to the community. To aid in the normalization process, the following avenues for community participation are encouraged: (i) regular school/work programs; (ii) sport/youth clubs; (iii) community service; (iv) participation in community special events (fund raisers, fairs, etc.)

STAFF INVOLVEMENT

A residency clause of 20 km applies to all staff employed by the Centres. This is done to have the staff viewed by the community as a part of that local area.

VOLUNTEERS

Volunteer programs exist within open Centres to allow input on both one-to-one and a programs level. Relief staff are also recruited from the local area and often begin as volunteers.

John R. Picketts
Provincial Administrator

APPENDIX I

P.E.I. YOUTH CENTRE

Statement of Philosophy, Theory and Method

We believe that every individual possesses inherent worth, integrity and dignity. We believe that every individual given adequate support has the ability to change.

It is recognized that every individual has legal rights and individual needs. When addressing the concerns of individuals we must focus on the whole person; his physical, mental, emotional, spiritual, and social needs.

We believe that every individual has the right to participate in the determination of what his needs are and how they should be met. We believe every person should have equal opportunity to maximize their potential regardless of racial, religious, political, economic or social status.

We believe that every individual has a social responsibility towards himself, his family, and his society. Interventions must recognize the person as a member of his family and community and strive to promote strengths inherent in both systems.

The P.E.I. Youth Centre recognizes the underlying causal factors which influence and/or promote delinquent behaviors.

Interventions aimed at reducing delinquency must address the needs of both the young person and his family as pertains to: improved self concept, positive habit formation, improved social and relationship skills, realistic understanding and acceptance of family dynamics, increased skills for independent functioning.

Growth towards maturity requires an increasing acceptance of responsibility for decisions about oneself and one's behavior. Hence, each resident shall be permitted and encouraged to participate in formulating decisions about himself. Community contact and supports are to be utilized in assisting each resident in successfully reintegrating with natural family and community life.

In dealing with the young offender, the Centre must strive to maintain a balance between the needs of the young person and the interest of society.

Principles derived from both the Young Offenders Act and residential care generally are to be synthesized into a perspective aimed at meeting this objective.

Principles:

1. The environment must recognize the rights and freedoms of young persons as stated in the Canadian Charter of Rights and Freedoms or in the Canadian Bill of Rights.
2. The rights and freedoms of young persons include the right to the least possible interference with freedom, having regard for the needs of the young person, his family, and society.
3. Young persons have the right to be informed in every instance where they have rights and freedoms that may be affected by the Young Offenders Act.
4. The right of each individual to maximize their potential in developing themselves must be recognized.
5. The rights and responsibilities of parents for the care and supervision of their children must remain paramount when intervening in the young person's life.
6. The environment is to be so utilized as to promote a caring and helping atmosphere which supports the overall well being of residents and staff.
7. The environment must be structured with a strong orientation towards family and community life.
8. The environment must be structured so as to be predictable, safe, and able to meet the custodial needs of young persons unable to live in their own home.
9. Intervention strategies are to be directed towards the movement of residents back into their home environment or substitute care environment.
10. The establishment of positive trusting relationships between residents and staff is the vehicle through which positive change and growth occurs.
11. Programming both individually and collectively is to be aimed at the development and enhancement of positive interpersonal relationships.

12. Young persons are to be held responsible for their behaviors while protecting them from their own and others' excessive behaviors.
13. Goal setting with the young person must recognize the difference between an adult and a young person in terms of: accountability and the obtainment of realistic objectives.
14. Individual problem solving, life skills development, and the enhancement of social skills is to be emphasized.
15. Intervention in the young person's life must focus upon issues of: identify, self-concept, personal responsibility and family relations.
16. Natural family are to be viewed as partners in the helping process and encouraged to engage in all decision making activities.

THEORY

The underlying intent in establishing a theoretical perspective is to ensure that what we believe as theory becomes translated into actual practice. Grand theories of human behavior are hard to come by, and generalization, in most instances, is a risky endeavor. Rigid, pre-established modes of practice are often detrimental to the client as Type Y clients may not always want or require Type X services. An undisciplined tendency to generalize disallows the individual (the client) his right to be just that, "a unique individual" and not a "category". In this respect a single theoretical view may serve to meet the needs of helper moreso than the client. In attempting to "help" individuals, we must recognize that people have their own realities, their own definitions of situations. "Helping", then, is not superimposing our reality on others. "Helping", rather, is a process wherein our attempts are directed towards helping others to help themselves.

In our effort to provide effective services to a broad target population, we must be able to utilize a variety of different theoretical approaches and viewpoints, in order to respond to the diversity of needs presented. Any program element may have a positive impact on some kinds of individuals, a negative impact on other kinds of individuals, and be irrelevant to still others. To this end, the Youth Centre in its orientation to the helping process draws upon a number of major theoretical frameworks, wherein the focus is on the whole individual not isolated traits, behavior, or feelings.

Theories utilized include: phenomenological, cognitive-behavioral, and socio-educational. However, in so identifying the major approaches drawn upon, it is to be remembered that theory, like the client, and like society, have one common element — all are subject to change. Therefore the approaches of the Youth Centre to both individual and collective interventions and programs are never to be viewed as "static", but rather as "evolving", open to "experimentation" and "revision and refinement". In this manner, we strive to recognize the changing character of the social world in which we and our clients live.

PHENOMENOLOGICAL

Possibly the two most widely utilized theories amongst all phenomenological theories are the "client-centred" theory developed by Carl Rogers and the "Gestalt" theory advanced by Fritz Perls. The client-centred approach will be expanded upon by way of illustrating some of the basic premises, and implications to practice, raised by these theorists. Major client-centred constructs include:

1. Self-concept is our perceptions of ourself based on our interaction with others.
2. The phenomenal field is the individual's reality and consists of the self-concept and the individual's perceptions of his or her world.
3. Individuals behave in whatever ways will enhance their self-concept.
4. Problems arise out of incongruencies between self-concept and life experiences that become threatening to persons and cause them to utilize defences such as the denial or distortion of experiences.
5. Only by receiving unconditional positive regard (acceptance) by a significant other can persons be open to their experiences and develop more congruence between self-concept and behavior.
6. As persons define themselves and situations as real, they will be real in their consequences.

The foundation of a client-centred approach is the creation of an empathic relationship which allows the client to take responsibility for determining goals and for taking action towards these goals.

Consistent with the phenomenological theories generally, process more than content is stressed, and the helping relationship is viewed as the vehicle to elicit change. The helping relationship provides the atmosphere within which clients explore their feelings, thoughts, and behaviors towards the goal of: self insight, behavioral change, and continued decision making and/or choice selection.

COGNITIVE-BEHAVIORAL

Cognitive-behavioral approaches tend to focus upon; thinking processes, problem solving, and the development of rational thought. The aim being that a change in an individual's thinking can in turn change beliefs and behaviors. These approaches also focus upon the present, rather than the past. Rational-Emotive-Therapy, and Reality Therapy are two major theoretical approaches within this category. At the Youth Centre our primary concern will be with Glasser and Reality Therapy. Reality Therapy is a direct approach wherein individuals are aided in accepting responsibility and confronting inconsistencies among their goals, values, and behaviors. Reality Therapy is based upon the following principles:

1. Clients are encouraged to make value judgements about their own behavoirs.
2. Clients are encouraged to make plans towards desired goals.
3. Clients are asked to commit themselves to their goals and plans.
4. Helpers keep clients accountable to commitments and contracts.
5. Helpers never reject or punish clients.
6. Focus is upon behavior rather than thinking or feelings. Helper is concerned with "what" client is doing not "why".

When utilizing this approach, the first task is emotional involvement. The helper/client relationship is characterized by warmth, honesty, caring, and personal involvement. The individual's behavior may be anti-social and as such from within this approach is viewed as unrealistic. However, the helper must continue to demonstrate that he genuinely cares about the client. Through the relationship with the helper, unrealistic and irresponsible behaviors are rejected. The client increasingly learns to accept responsibility for their choices and the consequences which such choices create.

SOCIO-EDUCATIONAL

While not inconsistent with the principles of Cognitive-Behavioral theories (insofar as teaching, information giving, homework, are some techniques utilized) the socio-educational approach of the Youth Centre is considered worthy of at least brief review in this section.

Formal education and social learning experiences at the Centre are to be developed in accordance with the following principles.

1. Rooted in community-based programs.
2. Directed towards the enhancement of social skill areas.
3. Aimed at renewing or eliciting the motivation for further learning and social participation.
4. Constructed so that both individual and group activities provide opportunities for experiential learning.
5. Recognize the academic and social developmental levels of all participants.
6. Establish realistic and achievable goals, rather than create new opportunities for renewal of past failures.

Social skills and academic functioning are to be given equal consideration in assessment and program development. Past experiences by the target group illustrate that one can not, and will not, occur without the other. The overall objective is to enhance academic and social skills simultaneously, so that growth and development can and will occur.

METHOD

The evolution and refinement of practice/methods in keeping with the Centre's philosophy and theoretical orientation is expected. It is recognized that evaluation is an ongoing process formally directed towards both staff and program. Methods utilized at the Centre will include:

1. Individual case assessment.
2. Role modelling.
3. Educational instruction.
4. Relationship building.

5. Group work.
6. Case work intervention.
7. Case conferencing.
8. Use of outside consultants.
9. Targeted referrals to external support and service networks
10. Provision of re-inforcement through regular feedback.
11. Individual counselling.
12. Individualized program planning (contract form).
13. Increased individual freedoms and responsibilities based upon positive behavioral patterns.
14. Individual and collective decision making.
15. Involvement of natural family in Centre activities.
16. Formation of parents' groups, both self help and educational.
17. Community participation, including field trips, community tours, projects.
18. Participation in community based youth organizations.
19. Completion of community service, victim restitution.
20. Volunteer participation in Centre activities.
21. Direct exploration and exposure to labor market and work preparation activities.
22. Promotion of physical and mental health.
23. Instruction in relaxation and tension release techniques.
24. Group and individual recreational activity which promotes skill development and the positive use of leisure time.
25. Participation in ongoing activities directed towards satisfying basic needs for daily living.
26. Submission of resident initiated proposals re: Centre programming, policy, special events.
27. Positive use of delegated authority.
28. Spiritual/fellowship activities.
29. Direct involvement and contact with significant others.
30. Creation and implementation of pilot projects.
31. Evaluation research.

Newfoundland

OPEN CUSTODY IN NEWFOUNDLAND

Introduction

The Department of Social Services is responsible for providing a range of open custody community residential facilities to ensure that all open custody dispositions are enforced in a manner consistent with the principle of imposing the least restriction necessary to ensure the protection of Society. Correspondingly the Department of Social Services is committed to the concepts of normalization individualization, and continuity of care as they relate to open custody services.

Departmental Structure

At present the Department of Social Services strives to carry out a developmental plan aimed at establishing an integrated system of community-based residential alternatives for young persons sentenced to open custody. The province is divided into 5 administrative Regions; which are all actively working toward self sufficiency both in terms of total number of placements and the development of the service delivery system itself.

Within the 5 administrative Regions are 52 district offices. It is the assigned field staff at the district office level and the Social Work Program Co-Ordinator at the Regional level who are responsible for the monitoring of the day-to-day operation of the various community residential services. Staff at all Departmental levels assist the individual volunteer Boards and Facility staff in all aspects of the program from budgetary issues to individual case planning.

Community Involvement

A critical feature of the open custody program is the active involvement of the volunteer sector in terms of Group Home and Assessment Centre Board membership. The recruitment of citizens from a variety of backgrounds has promoted wider community acceptance of the program.

In terms of Board function, although funding comes from the Department of Social Services the Boards themselves are responsible for their agencies administration. As noted previously this task is completed in consultation with Departmental representatives.

Review of Service Delivery System

The service model being developed for each Region adheres to the requirement of protecting society from illegal behaviour by establishing open custody programs with varied levels of supervision. There programs are designed to give the young people involved the opportunity to participate in an individual program aimed at promoting the maximum degree of self development.

Throughout the open custody system special emphasis has been placed on the development of a continuum of residential services. In most Regions the planned continuum of service includes one structured assessment/back-up facility, one or more "staff" model group homes, one or more "family" model group homes with live in house parents, and a number of special foster homes with varied capabilities.

The components of the overall service model include: (i) initial placement for reception/assessment; (ii) individual plan formulation; (iii) permanent placement and plan implementation and (iv) follow-up and evaluation.

Under this model following his/her committment to open custody the young person involved would be placed at a Regional Reception/Assessment Centre. During his/her stay at this facility an Individual Program Plan is developed focusing on program and placement needs. Following this assessment the young person is placed in the least restrictive environment appropriate to his/her needs and characteristics. Every effort is made to place the young person as close to his or her home community as possible. The progress of each young person is continually monitored with a view to determine whether he or she can be transferred to a less structured and more normalized setting.

Temporary Release Policy

The approval of Pre-authorized On-going Temporary Releases (as per section 35(1)(b) of the Young Offenders Act) is an integral part of every person's program. The official authorization for such on-going releases must specify the days and hours of release but will allow as broad a framework as possible within the parameter of the Individual Case Plan.

Eligibility for Temporary Release for specific time limited purposes (as per Section 35(1)(a) of the Young Offenders Act) will first be based on length of sentence. In order to be eligible for a situation specific release a young person must have normally served 30 days or one third of his/her total disposition to a maximum of four months, whichever is greater. Requests for temporary releases during the last 15 days of custody disposition are only considered in very exceptional circumstances.

In determining the appropriateness of approving a temporary release, the following issues are considered and included in the caseworkers report to the Provincial Director: (i) a "severity of offence scale"; (ii) compatibility with case plan; (iii) willingness of young person's family to support the release; (iv) response to custody; (v) successfulness of previous temporary releases and (vi) charges pending.

Current Initiatives in Open Custody Facility Development

At present within the system there is capacity for 90 open custody placements. This figure includes 20 assessment centre placements, 45 group home placements, and approximately 25 foster home placements. In various stages of planning and construction are two new group homes with a combined capacity for 8 to 10 placements and a new assessment centre with a capacity of 7 beds. Plans are being developed to upgrade existing facilities at two group homes as well.

Future Initiatives in Program Development

An ongoing priority for the Division has been the provision of professional training for staff at Assessment Centres, Group Homes, Social Services Field Staff, and foster parents. Workshops on non-violent crisis intervention, adolescent suicide, conceptual assessment are held on a regular basis throughout the province. Much work, however, must still be completed in the development of training priorities and strategies for their delivery.

Presently in development is a comprehensive set of policies and procedures based on well developed standards and within the parameters of open custody programming as defined in the Young Offenders Act. An extension of this has been the need to clearly delineate the responsibilities and authority of the various volunteer boards. To aid in this process a standard Group Home Service Agreement is being prepared that would spell out Departmental and agency roles and expectations.

Based upon current projections, once the new homes which are now under development are completed, no further new group home programs will need to be developed. The Division and the Individual Regions will, of course, continue to monitor the need for new group homes, however, it is hoped that future placements can be met through the development of the open custody foster care program.

Over the next 3 years a goal of the Division of Youth Corrections is the establishment of a network of open custody foster homes across the province and to consolidate an effective system of training, recruitment, and ongoing support services to them. The Division believes in the committment of sufficient human resources at the regional and district levels to both implement the program and follow through on it. At present several regions are pursuing funding for a separate social work position for this expressed purpose.

Summary of Workshop Presentations

SUMMARY OF WORKSHOP PRESENTATIONS

Prior to the workshop, each participant submitted information about a specific topic area on which they would be prepared to present. The planning committee reviewed all the submissions and selected individual participants to be presenters for each workshop. The presentations and discussions were recorded and a summary follows:

Institutions

INSTITUTIONS

Presentation by:
Mr. Frank Vosterman, Director
Strathmore Youth Development Centre
Strathmore, Alberta

Mr. Vostermans began his presentation by explaining some of the steps taken by the Alberta Government since April 1984 when the Young Offenders Act replaced the Juvenile Delinquents Act.

Administration for a great part of this Act was transferred from Social Services to the Alberta Solicitor General, within which a Young Offenders Branch evolved.

The province found itself short of facilities to house Young Offenders. This was heightened with the inclusion of Young Offenders age 16-18 years in April of 1985. Prior to that those over 15 years were in the adult system.

One area which requires further work according to Frank is a need to address young persons in the province who require services provided by Mental Health.

Frank went on to relate that Open Custody Facilities in Alberta are serviced by four types or levels:

1. **Centres**
   - Such as Kikono Centre; a thirty bed centre in Edmonton which serves Red Deer to the south and to the north the Alberta and Northwest Territories border.

   Strathmore Youth Development Centre, a 50 bed unit serving the southern half of the province, places all the province's female population. Strathmore also administers a six bed custody home in Calgary and the Highwood Forestry Camp.
2. **Group Homes**
   - Contracted with non-government organizations to operate 6-12 bed Open Custody Group Homes throughout the province.
3. **Custody Homes**
   - Contracted through the Branch with private citizens to take Open Custody Youth (up to 2 youths) and supervise them in a family setting. Fall under the supervision of the Probation Officer.
4. **Camps**
   - A 16 bed camp in Highwood 150 kms southwest of Calgary. Administered by Strathmore Youth Center — Highwood takes Open Custody Youth, 16-18 years who are typically not returning to school.

   Highwood Camp will take youth into their program under Temporary Absence from Secure Custody.

All admissions to custody are handled centrally through the Central Placement Authority in Calgary. The Probation Officer who completed the Pre-Disposition Report contacts the Central Authority and through his former knowledge of the young person is able to relate various behavior development placement needs to consider in the custody plans.

The Central Authority has a provincial wide computerized information system they use. Each client is given a number that stays with them permanently so information can be brought back at any time. A security feature allows people to access this information, but not change it.

According to Frank, statistics in Alberta indicated increase in remand time spent. The average stay for a youth in Open Custody is 3 months. Five years of Y.O.A. statistics indicated no trends in population count patterns.

The original intent for Strathmore Youth Development Centre was to accommodate 48 youths. At the time of the workshop, Frank related that two of his four cottages were not open. Each unit or cottage has 16 beds. Strathmore also houses all the Open Custody females for Alberta. The females reside in one half of a cottage and the youngest boys are in the other half. Frank related also that his U.A.L. count is high (70-90) per year. He attributes part of this to the rooms having two exits.

Strathmore opened in 1984 but did not get 16-18 year olds until 1985. Due to the program

problems, a satellite facility was started in Highwood, Alberta.

Strathmore's present staffing ratio was 59.3 but was originally slated for 98 staff for 48 youths. The ratio varies between 6-10 youths per staff.

Strathmore has a Program Director, Recreation Therapist and Nurses. There are 6 teachers who work with the kids primarily on correspondence courses through the Department of Education. The teachers are hired under a separate contract.

Each cottage has a team leader responsible for programs and staffing. There is 4 weeks of training provided yearly for staff.

Training for staff is paid for by the government. The night staff are Correction Officers and can be hired with a Grade 12 minimum. In order to do youth work on a day or evening shift, the staff are required to have taken the two year Residential Youth Work Course. The two year Diploma Course allows entrance to youth work via Social Services, law enforcement, and the justice stream.

Of the admissions to Strathmore the majority of the admissions are for three months or less. The 12-13 year old youth committed to Open Custody generally have numerous Child Welfare needs. Most youths in Open Custody are in for property related crimes. However, violent related crimes are on the increase in Alberta.

Youth in custody are reviewed by the case planning team. Sentences of 45 days or less must have a review of case plan after 7 days involving key workers, teachers and psychologist.

Strathmore operates on a 4 tier level system. All youth come in on level 2. Their levels are reviewed every 7 days. Youth in the program can drop more than 1 level but cannot go up more than 1 level at a time.

Frank says it is very difficult to attain a level 4 at Strathmore due to high expectations of youth. Much of the recreation for youth at Strathmore occurs in the community. If a youth has charges pending he is placed in Secure Custody unless he has a bail order.

The education program at Strathmore is compulsory with a mixture of vocational and academics.

Compulsory life skills are taught in house by resource staff.

The decision for Temporary Absences rests with the Director of the Open Custody facility. The leaves **must** have valid reasons and purposes. Leaves over 12 hours must be supervised by the community worker.

Temporary Absences can be back to back, and 90% of the temporary releases are seen as successful. Most youth leaving Strathmore leave on an early release to enhance reintegration into the community.

Reviews to Sec. 29(1) or 28 of the Y.O.A. are used with sentences over 90 days.

Open Custody has been successful with about 95% of its reviews to date. The line staff at Strathmore initiate the reviews and a staff has to appear in court with the youth.

As reviews are seen as such a time consuming process that back to back T.A.'s are used for short term committals (under 90 days).

Strathmore is also responsible for administering the Highwood Camp 150 kms southwest of Calgary. Highwood accommodates 16 youths in Open Custody ages 16-18 years who are not interested in returning to school.

The youth in the camp spent 4 school days working for the parks branch grooming and cutting trails, etc. One day a week is spent on academics.

The camp is run by Strathmore staff who volunteer to spend 14 days in the 7 out. The employees get paid an extra $25 per day camp allowance plus 15 extra days holiday.

The youth at Highwood Camp are assessed at level 4; the highest of the Strathmore Tier System.

Frank closed his presentations wanting to thank everyone for getting the National Conference organized and providing him with an opportunity to do a presentation on Open Custody in Alberta and the program at Strathmore in particular.

Institutions

Presentation by:
John Picketts, Provincial Administrator, Young Offender Custody, P.E.I.

A. HISTORY:

The Prince Edward Island, Department of Justice, historically did not have responsibility for juveniles. Thus, when responsibility for the **Y.O.A.** was given to the Justice Department, there was a need to respond rapidly.

B. GOVERNMENT'S RESPONSE TO THE YOUNG OFFENDERS ACT:

Prince Edward Island benefited from the federal financial support for the development of **Y.O.A.** programs. The two concerns they had at the onset were getting the staffing model they desired and obtaining new facilities. They managed to alleviate both of these concerns with the construction of three new facilities staffed according to their request (see Appendix I).

C. HOW BIG A PROBLEM ARE YOUNG OFFENDERS IN P.E.I.?

One of the main problems the province experiences is having the right number of custody (open/closed) beds on any given day. Mr. Picketts indicated that they are paying a price for a real distinction between open and closed custody, however, they make a conscious decision to do this for they believe youth shouldn't be moved until they are ready. Different custody programs are spread throughout the province.

Approximately 5% of young offenders are dealt with through alternative measures. The use of alternative measures is dependent on the orientation of the police and crown.

Judges are not in support of the optional review process. They also tend to lean more to 'child welfare' types of dispositions as opposed to 'legal' dispositions.

See Appendix II for trends related to dispositions and court reports.

D. WHO ARE THESE YOUTHS?

Appendix III and IV provide a profile of young offender ages and education levels. It is interesting and significant to note the difference in reduction levels between the probation and custody youth. For this reason custody programs focus on education.

Appendix V lists the key young offender social profile characteristics. Of these family dysfunction (including adoption breakdowns), physical abuse, alcohol/drug abuse (themselves and family) and poverty are predominant.

E. REHABILITATIVE OBJECTIVES:

Based on the key problem areas identified through the social profiles of young offenders, the rehabilitative objectives of the custody programs are:

1. Cope with and resolve presenting problems, eg. physical addictions, family breakdown, abuse, abandonment.
2. Experience success.
3. Internalize positive habit formation — life skills, relating to basic requirements of daily living.
4. Grow emotionally beyond past hurts and the pathology of their family networks.
5. Learn how to learn, and become motivated towards further learning/skill development.
6. Develop future plans and support systems.

F. PROGRAMS OFFERED:

Programming at the three custody institutions include:

1. Casework process
2. Daily routine
3. Temporary release
4. Internal education program (see Appendix VI, VII and VIII for further elaboration).

5. Block Sessions:
   a. Crime prevention
   b. Alcohol and drug use and abuse
   c. Work orientation
   d. Nutrition
   e. Human sexuality
   f. Mental health
   g. Life skills
   h. First aid
   i. C.P.R.
   j. You and your world
6. Arts and crafts
7. Fellowship
8. Active/passive recreation
9. Alternative Resident Placement Program (see Appendix IX and X for further elaboration).
10. Community Youth Worker Program.

G. SLIDES OF INSTITUTIONS

1. three custody facilities built by three different construction firms;
2. prepared communities for having the facilities. Went in a year before to discuss the idea and returned three to four times for further discussion;
3. good community response;
4. facilities located in Summerside (32 secure only beds); Georgetown (8 open custody beds) and Tyne Valley (8 open custody beds);
5. P.E.I. also has 12 community home beds.

QUESTIONS

Questions related to P.E.I. Institutions:

1. How many youth offenders in regular school — 80%. good cooperation from school boards?
2. Do kids have choice in education vs work? Yes
3. Why groups of eight?
   Based on child welfare experience. Best experience with 7-8. Very treatment oriented — reality therapy and client centred orientation. Strongly believe in a therapeutic model. P.E.I. doesn't have the history of training schools or federal institutions. Strong child welfare/social work orientation in service delivery.
4. How does P.E.I. manage with short-term offenders?
   Don't get often. Judges use it as a deterrent, get the youth to perform community work.
5. Deferred sentences — concerns.
6. Intermittent sentences — none.
7. Fine default — don't get many.
8. Mixed dispositions — yes. Case remains open on probation officer caseload. P.O.'s responsible for reviews. Movement more automatic from secure to open. Reviews used for moving open custody youth to probation.
9. Open custody facilities — use of different open custody facilities assessed at time of disposition, not a progressive move from one to the other. Usually move a youth to a community home in final quarter of disposition.
   All foster homes can be designated open custody.
   Do not use open custody homes for detention.

H. OPEN DISCUSSION

1. Adult age youth:
   Manitoba: difficulty with the number of adult age youth in young offender facilities. At times as high as 30%. Section 66(8) Y.O.A. the way to go?
   Nova Scotia: problem not as great. In most cases older kids tend to be a positive influence on younger kids. Only once have they transferred a youth to an adult institution.
   Manitoba: unfortunately some older kids using the younger ones through manipulation and intimidation.
   Nova Scotia: if this problem existed it would be dealt with through the group rap session (weekly or when problems arose). Youth keep journals which youth worker reviews, raise issues in meetings. Put emphasis on the problem kids because they're the kids at risk of coming back.

Alberta: 66.8's can be done at any time of adult sentence according to their experience.

Northwest Territories: judges not been on hearing 66.8's but will.

Manitoba and Saskatchewan: 66.8's brought forward at time of conviction/sentencing.

Quebec: percentage of adult aged youth went from 15/20% to 7/10%. Adult age youth are given an opportunity to 'prove' self. For majority, enter into a contract and release into community.

Saskatchewan: percentage of adult age youth in custody similar to Manitoba. Is problem that the judicial system is so slow that kids aren't being tried until they are adults?

Nova Scotia: problem of police purposely holding charges until close to release. Custody staff advise youth to have lawyers check into outstanding charges when they first come in.

2. **Open Custody Issues:**

Ontario: youth who escape from open custody are put on bail, put back in open custody and escape all over again. Revolving door.

Saskatchewan: some confusion as to whether judges will remand to custody or not in cases of escapes.

Nova Scotia: judges remand to secure custody.

Question raised of how many provinces have locked open custody:

Nova Scotia: has been challenged in court.

P.E.I.: have 16' walls.

Saskatchewan: only locked open custody beds are in Dale's House, facility shared with Family Services.

Quebec: similar to Nova Scotia — locked open custody — challenged in court.

How do provinces with no locked open custody deal with runners:

Saskatchewan: look at why they are running. Generally runners re-offend, go back to court and another disposition can be recommended. Have good success with putting runners in open custody homes.

N.W.T.: judges usually give a one month secure sentence for escapes.

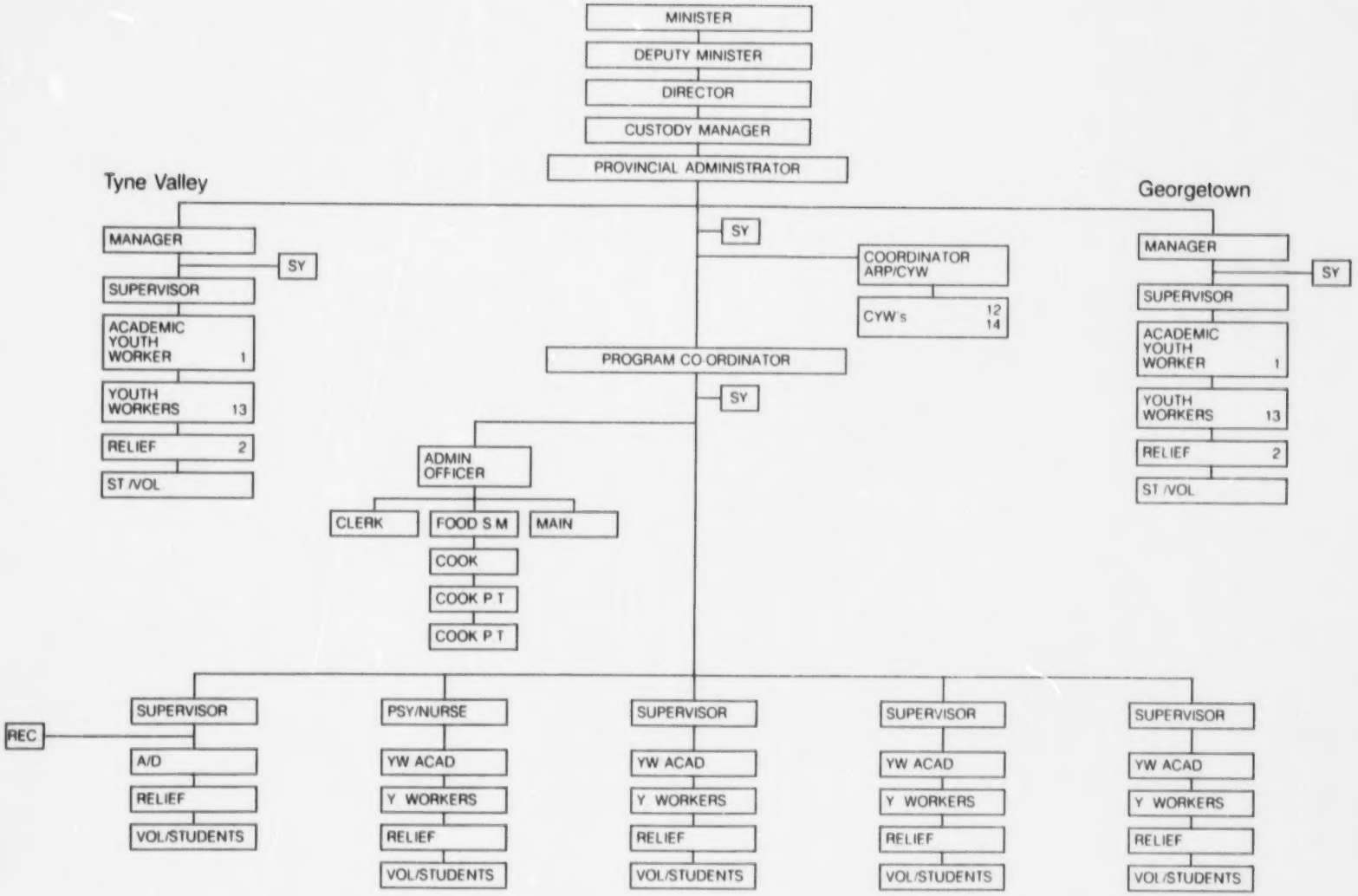
Nova Scotia: 2-3 month secure for escapes.

Saskatchewan: if running the only problem, give youth a goal of not running for review.

(i)

TYNE VALLEY

	Monday		Tuesday		Wednesday		Thursday		Friday
9:00 9:40	Math	8:50 10:15	Exploratory Workshop	9:00 9:40	Math	8:50 10:15	Exploratory Workshop	8:50 10:15	Exploratory Workshop
9:45 10:20	Island Studies	10:20 10:30	Break	9:45 10:20	Island Studies	10:20 10:30	Break	10:20 10:30	Break
10:25 10:35	Break	10:35 11:15	Language Arts	10:25 10:35	Break	10:35 11:15	Language Arts	10:35 11:15	Math
10:40 12:05	Exploratory Workshop	11:20 12:15	Life Skills	10:40 12:05	Exploratory Workshop	11:20 12:15	Life Skills	11:20 11:55	Island Studies
12:10 1:05	Lunch	12:20 1:15	Lunch	12:10 1:05	Lunch	12:20 1:15	Lunch	12:00 12:55	Lunch
1:10 1:45	Library	1:20 2:15	Computers	1:10 1:45	Library	1:20 2:15	Computers	1:00 1:40	Language Arts
1:50 2:30	Language Arts	2:20 2:30	Break	1:50 2:30	Language Arts	2:20 2:30	Break	1:45 2:40	Physical Education
2:35 2:45	Break	2:35 3:15	Math	2:35 2:45	Break	2:35 3:15	Math		
2:50 3:45	Physical Education			2:50 3:45	Physical Education				


MINISTER
DEPUTY MINISTER
DIRECTOR
CUSTODY MANAGER
PROVINCIAL ADMINISTRATOR
Tyne Valley
MANAGER
SY
SUPERVISOR
ACADEMIC YOUTH WORKER 1
YOUTH WORKERS 13
RELIEF 2
ST /VOL
SY
COORDINATOR ARP/CYW
CYW's 12 14
PROGRAM CO-ORDINATOR
SY
ADMIN OFFICER
CLERK
FOOD S M
MAIN
COOK
COOK P T
COOK P T
Georgetown
MANAGER
SY
SUPERVISOR
ACADEMIC YOUTH WORKER 1
YOUTH WORKERS 13
RELIEF 2
ST /VOL
REC
SUPERVISOR
A/D
RELIEF
VOL/STUDENTS
PSY/NURSE
YW ACAD
Y WORKERS
RELIEF
VOL/STUDENTS
SUPERVISOR
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RELIEF
VOL/STUDENTS

Percentage of cases by age group
as of May 1, 1988

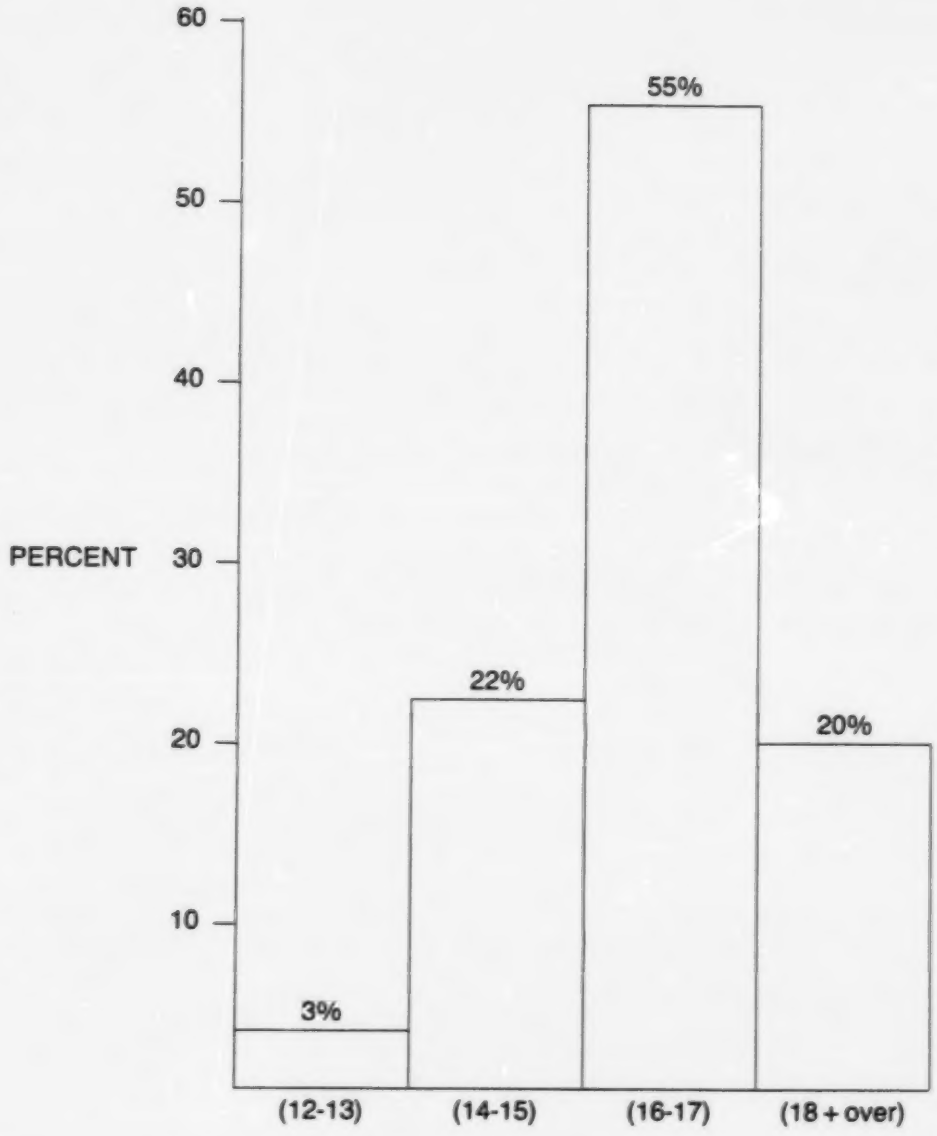


Figure 1

Educational trends for young offender total cases as of May 1, 1988

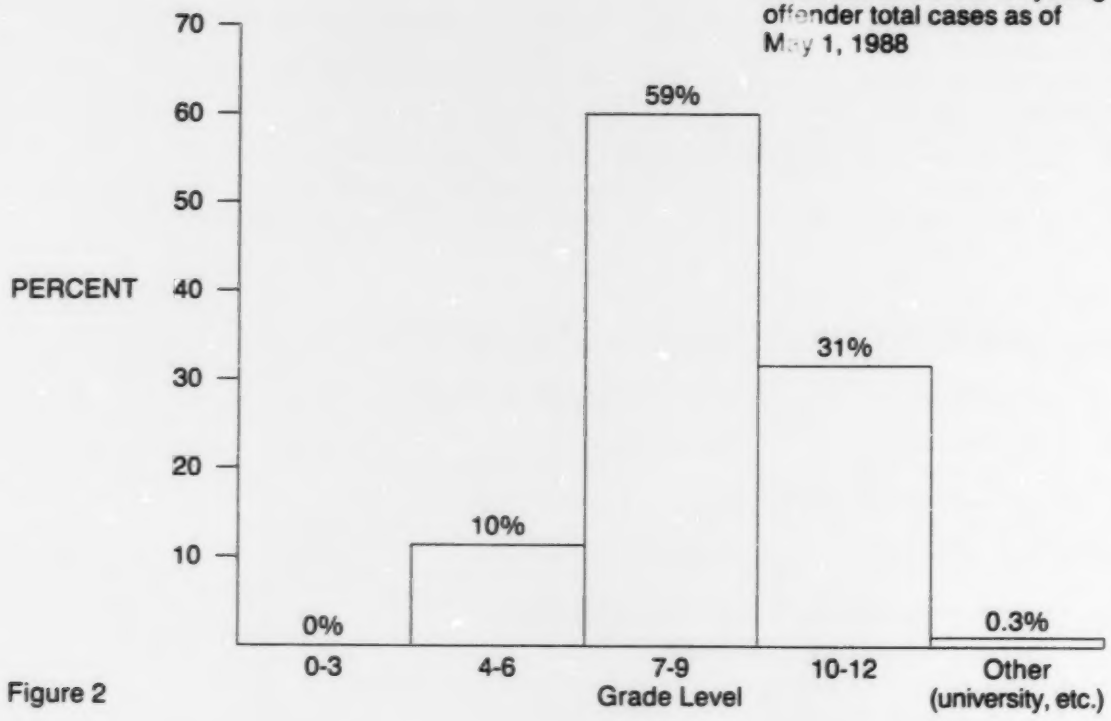


Figure 2

Educational trends for young offender custody cases as of May 1, 1988

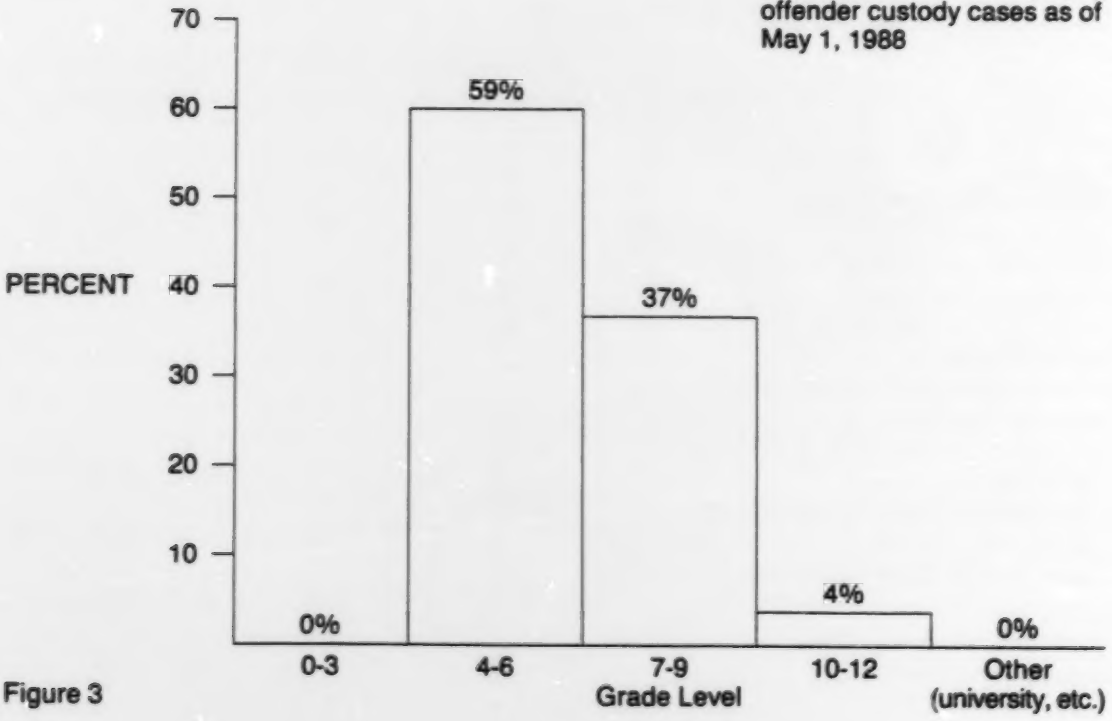


Figure 3

APPENDIX V

SOCIAL PROFILE

a) family dysfunction
b) physical abuse
c) drug/alcohol abuse
d) poverty/neglect
e) social isolation
f) emotional/social developmental delays
g) school failure
h) low impulse control
i) low self esteem
j) lack of a sense of permanence/trust or security
k) crisis behaviors such as:
   1) running
   2) drug overdose
   3) physical aggression
   4) suicidal gestures
l) 22% not having a home to return to
m) poor cognitive skills

APPENDIX VI

ACADEMIC PROGRAM COURSE DESCRIPTION

A. Individualized Academic Program

1. Mathematics
2. Language Arts
3. Exploratory Workshop
4. Life Skills
5. Island Studies
6. Library
7. Independent Studies
8. Computers
9. Physical Education

B. Grade Equivalency Diploma (G.E.D.)
C. Correspondence Courses
D. Individual Tutoring
E. On-the-Job Training
F. Outside Community School
G. Community Job Placements

APPENDIX VII

SUBJECT AREAS — PERCENTAGES

Subject	Number of Classes/Week	Period (Minutes)	% of Total Curriculum GT	TV	Ss
Language Arts (Georgetown; Tyne Valley; A,B,C)	5	40			
Mathematics (Georgetown; Tyne Valley; A,B,C)	5	40	62.3	62.3	59.4
Exploratory Workshop (Georgetown; Tyne Valley; A,B,C)	5	85			
Island Studies (Georgetown; Tyne Valley; A,B,C)	3	35	7.9	7.9	7.5
Physical Education (Georgetown; Tyne Valley; A,B,C)	3	55	7.9	7.9	7.9
Life Skills (Georgetown; Tyne Valley; A,B,C)	2	55	8.3	8.3	5.3
Library (Georgetown; Tyne Valley; A,B,C)	2	35	5.3	5.3	11.9
Computers (Georgetown; A & C only)	2	55	8.3	0.0	5.1
Independent Studies (Tyne Valley; B only)	2	55	0.0	8.3	2.6

Table 1 — **Trends Related to Dispositions and Court Reports**

	1985*	1986	1987	Total
Young Offenders found guilty and receiving dispositions during the year	223	327	289	839
Numbers/Percentages by Disposition				
Probation	162 (73%)	204 (62.5%)	203 (70%)	569 (68%)
Custody	39 (17.5%)	70 (21.5%)	53 (18.5%)	162 (19%)
Custody and Probation	10 (4.5%)	24 (7%)	20 (7%)	54 (6.5%)
Other Dispositions (i.e. Absolute Discharge, Fines, etc.)	12 (5%)	29 (9%)	13 (4.5%)	54 (6.5%)
Number and Percentages of Cases Where Court Reports were Submitted	150 (67%)	173 (53%)	158 (55%)	481 (57%)

*NOTE: Numbers for 1985 do not include 16 and 17 year olds for the first three months of the year

APPENDIX IX

BASIC PREMISES

1. The diversion of all individuals that can be diverted, to community based programs.
2. Minimize the penetration of individuals into the justice system by utilizing the least amount of authority necessary.
3. Normalize intervention by serving as many young offenders as possible in their home community, and within their natural family.
4. Establish a broadened view of young offenders to include the parallel between delinquent behavior and children who simultaneously are in need of Child Protection Services.
5. Reduce labelling of the young offender as criminal in an effort to facilitate young persons' redefinition of themselves as worthwhile persons.
6. Services are to be provided to the broadest possible target group and with the highest degree of flexibility.

TARGET GROUP

Young persons who: are on probation, serving open custody dispositions, discharged from custody facilities, placed in residential treatment programs (e.g. addictions, psychiatric).

APPENDIX X

PROGRAM'S GOALS

1. To reduce the rate of entry and recidivism to custody of young offenders on P.E.I.
2. To develop and maintain "Alternative Residential Resources" (i.e. foster homes, supervised room and board, assessment — receiving homes, etc.) to be utilized by young offenders at their time of entry and/or discharge from the youth justice system.
3. To recruit, train, assign, and supervise community youth workers who will offer a range of support services (e.g. life skills coaching, educational/employment support, counselling, targeted referrals, etc.) to young offenders an on individual basis.

Group Programs

GROUP PROGRAMS

Presentation by: Andrew Field
Director, Yarrow Youth Farm
Box 8760
Saskatoon, Saskatchewan S7K 6S5

and Anthony Yanick
Director, Kenosee Youth Camp
Box 100
Carlyle, Saskatchewan S0C 0R0

Yarrow Youth Farm

Yarrow Youth Farm is a 12 bed open custody young offender program situated 2 kilometres north of Saskatoon. Andrew Field, the presenter is the Director. Mr. Field indicated that youths living together in an open custody setting with no security will stay because of one of two reasons:

a) They fear the consequences of what will happen if they leave or
b) Because they want to stay in the program being offered.

He feels that fear will not keep kids in a facility — there has to be something in it for them — he hopes that Yarrow Youth Farm has found something.

Originally the government had hoped to develop a 12 bed custody facility in Saskatoon. However, strong opposition was experienced and the development of the project put on hold. Luckily they found an alternate spot with the present farmhouse. Funds were short at the time and the youths and staff took up the challenge of converting the farmhouse into a suitable facility. They completed the framing, drywalling, taping, sanding, painting, installation of windows, doors, ceilings, carpeting and painting in time to move in. During the renovation period the morale of both youth and staff remained high — together they had accomplished something tangible — their first success.

The farm is "Task versus Talk" oriented. Andrew quoted James Finchenauer's last book "Juvenile Delinquency and Corrections" and his acronym YAVIS

Young • Attractive • Verbal • Intelligent • Successful

The book quotes that most strategic approaches for youths are best suited to individuals who are characterized by the above adjectives — most young offenders share only the one characteristic — "young". Watching TV and going to the gym are the most prominent programs in most youth centres — Yarrow wanted to get away from this.

The first project after the renovation of the farmhouse was the building of a chicken coop, followed by the purchase of 100 chickens for laying and 300 for slaughter (a plucking machine was purchased to assist in the latter project!) Four miles of telephone poles were acquired and used to build a barn and roof for a root cellar. Initially a tractor was purchased for use on the farm but with so many different youth and staff using it, there were normally parts missing, therefore a twelve year old mare was purchased as a workhorse. The youths also build sheds to sell and have a three acre market garden.

Yarrow Youth Farm is learning to involve the community in many practical ways — help from farmers with their animals (angora goats, chickens, rabbits). Volunteers are used extensively. All the farm projects generate a small income. The youths are allowed a certain portion of the income to spend on something they feel they need (e.g. renovating an old pool table). Income from the projects is also used to cover expenditures (e.g. fertilizers). The youths keep track of a detailed breakdown of income and expenditures and the marketing strategy also involves the group. The youth and staff perform all the chores.

Andrew feels that the critical issues for young offender programs are:

a) They must be based on a clear theoretical foundation in which all the underlying assumptions are thought through and made explicit;
b) Careful monitoring is needed to ensure the program is keeping to design;
c) Need constant feedback on the program outcome to measure effectiveness.

Andrew indicated that youths are used to the system pouring money into them. In the Yarrow youth farm program, tasks have been substituted for talking. The youths seem to be happier when they are contributing and not feeling dependent. A youth who has failed in the system before can get great satisfaction from being personally responsible for the care of an animal. There is more reward in giving rather than receiving.

There is good community involvement in the program. Society is changing all the time, so it is important for social workers to listen to what the community is saying. The name "Yarrow" was chosen for the farm because it is an ancient Greek word that is used for a plant that is used for healing. The motto of the farm is "Fundus Fortium (Farm of the Courageous and Brave).

Andrew indicated that involving the staff in the planning process of such programs is critical — with Yarrow "the program almost evolved on its own". Staff meetings were held every week. Every two months there was a major meeting with everyone who was involved attending. Andrew stressed that everyone's input is needed — "one person cannot do it". They followed the above process at Yarrow for the first one and one-half years and then backed off for nine months — "everything fell apart", but is now back on track.

Andrew indicated the factors he targets to facilitate change toward program goals are: Self Esteem; Skills (problem solving, communications); Work attitudes and values; Delinquent Ideation; Cognitive transference; Family, Special Needs. How do we measure the accomplishments? — by ongoing program evaluation and longitudinal study.

To quote Andrew: "It would be flattering for us to say that we came to the Yarrow Program freely and designed it from our own knowledge base. This would be untruthful. We were dragged here. We were faced with reflection and a temporary program at a time when budgets were being cut. The very survival of this program depended on our willingness to respond to the need for change, to innovate. The program does not belong to us. It is a reflection of our community. As long as it remains such, it will survive and the needs of troubled youth of this community will continue to be met."

Andrew closed by quoting a Greek philosopher "The very qualities of sagacity and daring which rendered them a terror to the community, will push them forward in their new career of virtue."

YARROW YOUTH FARM
SASKATCHEWAN SOCIAL SERVICES
YOUNG OFFENDERS PROGRAM DIVISION

February 14, 1989

The Yarrow Youth Farm is a twelve bed open custody program situated two miles north of the City of Saskatoon on fifteen acres of land. The program opened in March 1986 for sixteen and seventeen year old males as a direct response to the introduction of the **Young Offenders Act.** It has since expanded the admission criteria to include twelve to fifteen year olds. Yarrow Youth Farm is funded by the province of Saskatchewan as a part of Saskatchewan Social Services.

Task vs. Talk Oriented Therapy:

The Yarrow Youth Farm program has evolved over the past three years to its position today as a task oriented farm program. There has been a concerted effort made by Yarrow staff to use farm tasks as the medium for change. Traditionally language has been used as this medium through "talk" therapies.

James Finckenauer in his review of Young Offender Programs in the United States, (contained in his book Juvenile Delinquency and Corrections), claims that talk therapies work best for people falling into the characteristics defined by the acronym YAVIS.

Young • Attractive • Verbal • Intelligent • Successful

This set of characteristics may fit well with the sons and daughters of the helping profession but, according to Finckenauer, applies to less than three percent of the young offender population.

Talk therapies, according to Finckenauer, are all of the treatment approaches that rely on language as the primary medium for effecting change. Yarrow staff have developed a program that incorporates caring for animals, gardening, construction, wood cutting and community service work into a general treatment approach. "Talk" however, remains a critical part of the program in that it is accepted that unless a youth can consciously identify the implications of his farm experience for his life in the community there is little benefit to the "task" experience.

In addition the Yarrow program argues that artificial, system generated, "rewards" for good behaviour, such as staff praise and peer praise are useful but limited. Where possible there is a lot more to be gained from "real rewards". For example, Yarrow allows youth some control over planning for the farm economy. The farm sells produce such as eggs, wool and poultry as well as firewood and small farm buildings. Decisions staff and youth make together effect the profitability of the farm as does how hard people work and the amount of care they take. For example, if the chickens are not watered on a hot day they will die.

Profit is shared. Two thirds goes back into the "Farm Account" for reinvesting into more stock, etc. One third goes directly to the youth who are able to spend it on their own projects. (eg., a new pool table cover or their own horse). Seeing the positive effects of their work in the form of farm sales, and compliments for good product has a much more profound effect on self concept than staff support alone.

The Healing Effect of Giving:

In a similar vein constructive community service work also carries important rewards. Yarrow has a group of twenty household who rely on us in winter to have their sidewalks cleared and in the summer their grass cut. It is volunteer work and the gratitude expressed by the clients is sincere and felt by all of the youth involved.

The principle here is that traditionally communities have dealt with troubled youth by simply feeling sorry for or **giving** to them. While the motivation is pure the effect has been to create dependence and clients who are out of step with the causes and effects of the real world. Our hypothesis is that youth in trouble need to learn how to give. They need to know they have something worth giving and that the community needs and accepts their contribution. They need to experience the rewards society reserves for those who contribute. Our hypothesis claims that it is only through youth **experiencing** society's reward that they will feel a part of society and hence take ownership of it. Ownership means partnership. Further criminal acts are at odds with partnership.

Summary:

Yarrow Youth Farm is an innovative new program that is experimenting with some new approaches to troubled youth. While the program has yet to undergo a full empirical review results to date have been encouraging. In essence, the program uses a task approach to treatment that incorporates its own natural rewards for positive behaviour that help to build a positive self image while encouraging youth to address issues related to self, social and employment skills.

Statistics

Historical Perspective	- new in 1986 as response to YOA.
Physical Structure	- converted eight year old farm house.
	- outbuildings constructed by youth.
	- fifteen acres of land.
Geographic Location	- two miles north of Saskatoon.
Current Usage	- open custody.
Population	- twelve males, 12-17 years old, average stay six months.
Support Services	- farm program and positive peer culture in house.

	- education, health, employment etc. resources in the community.
	- food services, laundry provided in house.
Community Support Services	- wide range of resources.
Control	- no static security all dynamic security.
Daily Activities	- 7:00 a.m. Wake up.
	- 8:00 a.m. some youth to school or work.
	- 8:30 a.m. farm day program begins.
	- 12:00 Noon lunch.
	- 1:00 p.m. farm day program resumes.
	- 3:30 p.m. farm day program ends.
	- 4:00 p.m. youth return from school/work.
	- 5:00 p.m. supper.
	- 5:30 p.m. chores.
	- 6:00 p.m. group.
	- 7:00 p.m. evening activities.
	- 10:30 p.m. prepare for bed.
	- 11:00 p.m. lights out.
Paid Jobs	- Kitchen and farm program profit sharing.
Staff Job Descriptions	- 12.4 person years, $475,000 budget.
	- 5 youth workers.
	- 1 night worker.
	- 1 Community Programs Co-ordinator.
	- .5 cook.
	- 1 Clerk Typist.
	- 1 Director.
Volunteers	- currently developing a volunteer program.
Specific Treatment Program	- no specific target populations.
Personal Articles vs Other	- family supplies wherever possible.
Smoking Policies	- staff and residents may smoke in one designated area.
Factors Considered etc.	- presenting problems addressed to a point where an environment of less structure can successfully help youth maintain behaviour at an acceptable standard.
Assault Policy	- matter referred to outside court.
Inst. Relationship to Parent	- partnership.
Research Projects	- completed one pilot study designing a more comprehensive study.
Staff Training	- eight hours every eight weeks.
Current Issues	- integration with Family Services programs.
	- work/training program availability.
Informal Discipline	- usually group process.
24.2(9)	- as a last resort approximately 12 to 18 times a year.
Day Program	- Farm "Task" Treatment program.
Treatment vs Custody	- would argue that the two are synonymous in the context of YOA principles.

Andrew H. Field, Director
Yarrow Youth Farm
Saskatoon

YARROW YOUTH FARM
SASKATOON, SASKATCHEWAN

"TASKS OR TALK?"

Andrew H. Field
Director, Yarrow Youth Farm
Young Offender Facility
Saskatchewan Social Services

Introduction

Yarrow Youth Farm is a twelve bed open custody young offender program. Its close proximity to Saskatoon enables the program to take advantage of excellent resources, particularly special education programs. A small farm program involving fifteen acres of land has been developed. The "farm" has become an important element of the program, designed to facilitate change in youth toward successful, independent and legal behaviour.

The Unexpected Failure

We began work in September of 1985 on development of an urban program for twelve "open custody" youth. We planned a community youth residence over an eight month period, designing a building, ordering equipment and developing a program. In May of 1986 we purchased land in Nutana, an inner city area, as the first step toward realizing our plan.

Nutana was chosen for its proximity to schools, counselling agencies, and access to transportation. Being an older area, it represented a cross section of cultures and ages.

News of our intention was met with hostile rejection. The development of the residence was put on hold, and our focus turned to day-to-day operations on the acreage we were renting as a temporary facility, six miles from Saskatoon.

The lease on our acreage expired twelve weeks after the Nutana rejection. Two weeks before expiry we still had not found an alternate temporary site. We couldn't move into the city for fear of a similar community reaction.

The Unexpected Success

Ten days before our lease expired, we found fifteen acres (with a house) that had potential as temporary accommodation. The acreage was 2 km north of the city. It had one drawback. It would require extensive renovations before we could use it. A contractor quoted thirty thousand dollars and five weeks work. Staff and the twelve youth in the program decided we would do the work ourselves, rather than let the opportunity go and end up in a poor location. We estimated a cost of twelve thousand dollars and a time frame of two weeks.

We completed the framing, drywalling, taping, sanding, painting, installation of a window, doors and a ceiling, carpeting and cleaning in time to move in, within budget. The fact that we accomplished the task was significant. However, of greater significance was the effect this "crisis" had on our program. Morale remained high with staff performing tasks well beyond the call of duty.

The morale of the youths also was high. The role changed from offender to contributor. The effect on many of them was dramatic. We all experienced the tangible results of our labor. We all felt we had accomplished something positive. This success was the beginning of what was to become Yarrow Youth Farm.

Three Conditions of Innovation

Peter Drucker, in his book **Innovation and Entrepreneurship**, views the unexpected success and the unexpected failure as fertile territory for opportunity, the modus operandi being innovation. Successful innovation according to Drucker is born out of three conditions:

- innovation is work.

- to succeed innovators must build on their strenghts.
- innovation is an effect of economy and society.

Innovation is Work

Over ensuing months we tried to understand what elements lay behind both our failure and our success. We worked to stay confident and to remain firm in our belief that we would succeed in establishment of a successful program. We listened and we observed. We sought to understand our experience and experimented with our success.

Building on Strengths

We built a chicken coop ourselves with the same positive result. Staff and resident morale soared. We purchased 100 chickens and found their contribution to the program was very positive and powerful. Next came a dog, again a powerful, positive influence.

Innovation is an Effect on Economy and Society

We spent time listening to the community and examining their reactions to our experience in Nutana. We then observed their reactions to the development of an animal project beginning with the construction of a chicken coop. We also assessed the impact of the recession on our program. This involved the way the community perceives money being spent on offender youth and on the budget available.

Syntheses

This process of introspection, research and consultation led us to three important conclusions. These formed the cornerstones on the Yarrow program.

The transmission of values and skills that lead to succesful, independent behaviour in the offender population is best accomplished through tasks and "working with" rather than "talk" therapies.

The work of James Finckenauer in his latest book, **Juvenile Delinquency and Corrections**, was particularly useful in development of this focus. Finckenauer reviewed juvenile corrections programs in the United States. According to his review, psychological and mental health strategies constitute the majority of approaches used.

These approaches are best suited to individuals characterized by the acronym YAVIS

Young • **A**ttractive • **V**erbal • **I**ntelligent • **S**uccessful

Young offenders share only one of these characteristics.

Psychological and mental health strategies are the heart and soul of the medical model that has dominated American and Canadian correctional systems for years. It includes everything from informal, individual counselling to formal, individual or group therapy, derived from some theoretical model. Finckenauer reported that these counselling techniques are used in virtually every juvenile correctional program in the United States. The same probably applies in Canada.

The fact that these methods are suited to youth characterized by the acronym YAVIS, accounting for perhaps three percent of the young offender population, has grave implications for treatment effectiveness. This shortcoming of psychotherapy is one of the factors accounting for the popularity of behaviour modification as an alternative treatment. (British Columbia has a major investment in behaviour modification). This shortcoming also accounts, in large part, for the present turn to harsher penalties for juvenile offenders out of frustration that nothing works to rehabilitate them.

Pressure, in the early sixties, from business people and from helping professionals entrenched in the medical model (believing offenders needed treatment), brought about the demise of many correctional farm programs. Small business wanted to supply goods to the large institutions. The large institutions tended to live in oblivion of local economies, being able to supply most or all of their own food and, in some cases, their own power.

Professionals at that time associated work with punishment, contrary to therapeutic goals. At Yarrow, tasks that involve caring for animals, tilling a garden, building and maintaining farm buildings, selling goods, keeping track of profits and losses, choosing names and

recording pedigrees all provide the medium for the message that other professionals have tried to convey through language over the past thirty years.

At Yarrow Youth Farm, a group meeting may be held to discuss how to boost the sale of eggs, improve the design of a rabbit cage or plan the spring vegetable crop. This is problem solving. It is also non-threatening. It is a lesson in communication skills and positive peer development. It is building self-esteem and helping to bring the real world into focus, and a hundred other things we have tried to accomplish creating many, many talk oriented programs over the years.

In order for the youths at Yarrow to make the farm work successful, they must all work to be well. Using drugs or acting aggressively hurts everyone because it hurts the farm, the animals and the garden. Wellness is tied to things that are tangible.

Youths who are not well, obviously don't just decide not to be sick anymore. We all know that the wounds inflicted through life on many of these youths are very deep. Some may never heal. Staff at Yarrow are able to work with them. Trust may come by teaching a boy to drive the tractor or holding a peg while he hammers. Reaching out and touching another may come in the form of one of the animals on the farm. Self-esteem may be helped along by delivering a load of wood to an appreciative customer or by voluntary activities such as lawn-mowing and snow shovelling for home care.

However, the role of other professionals is not ignored. There are youth who will need to be referred to a psychologist or a psychiatrist. The number of these referrals, however, is not high.

The Community Must Be Involved

Drucker describes the public service institution as generally introverted, self-preserving, fearful of change and insensitive. He claims that, unless public service institutions break out of this mode, they will cease to exist. If they fail to remain in tune with the changing mandates, needs and values of the communities they were intended to serve, these communities will dismiss them.

Our Nutana experience showed us that our community was very angry with civil servants. We acted without consulting with them. We failed to reflect their values. The community was frustrated and felt powerless to effect the bureaucracy.

We also found that there was an element of wisdom in community views. We heard people telling us to provide work for youth. The idea of a farm and animals was also common. Paying attention to community reaction revealed a cultural wisdom specific to prairie people. It also implied that the community wanted to help. It wanted to be involved to help solve its own problems. It did care.

Yarrow Youth Farm is learning to involve its community in very practical ways. We need help from farmers with our animals. We need to talk with gardeners. We need suppliers and farm auction sale experts. We need buyers for our wool, eggs and garden produce. All of these people are becoming involved with the youths at Yarrow. They are not helping professionals. They want to talk chickens or angora wool, rabbit hutches or hay. This interaction is healthy and normal. It is an affirmation to the boys that they have something to contribute, that they can be a part of their community.

Yarrow is involved in a research project that will monitor our success, relative to our stated objectives. Results of this study will enable us to show the community what we are doing, and how well. We found that the community was not willing to simply take our work as justification for our program. We could not influence misconceptions unless we could talk in very tangible terms.

Finally, we are recruiting a Community Advisory Board who will help us further develop Yarrow and remain in step with local needs and values.

There is More Reward in Giving than in Receiving

Our experience at Yarrow has shown us clearly what we have all known for so long. Generally, people are happier when they can contribute than when they need to be dependent. During the three years I spent as counselling co-ordinator at the Saskatoon Correctional Centre, I listened to over a thousand release plans. The number of inmates

who wanted to live on social assistance could be counted on one hand. Almost every person being released from the Centre wanted to work. The number who actually managed to develop and maintain this lifestyle was much lower. Nevertheless, their world view consistently valued independence rather than dependence.

At Yarrow a youth who had failed in psychotherapy was surprised to find that he could get a purr out of a cat, that goats wait for him to bring them breakfast each morning or that he can build a chicken coop.

This is perhaps the greatest lesson among all we have learned at Yarrow. Young people need to give to others. Permission to give, to contribute, equals initiation into adulthood and society. Our society reserves its rewards of esteem, friendship and respect for those it perceives as contributors.

Staff

A final word must be saved for the staff at Yarrow and for the implications of this experiment for other programs.

In order for us to develop a farm program, we all had to develop new skills. Only one out of eleven staff was familiar with farming. The rest of us had to learn what to feed chickens and goats.

The staff at Yarrow have been included in the development of the program since the beginning. As a professional team we have all developed the program to what it is today. As a result, we all have a commitment to the program because it is ours in much the same way the boys have a commitment to the farm because it is theirs.

This commitment is expressed in the name we chose for this program. The name Yarrow is derived from the plant of the same name. Yarrow grows in abundance across the prairies and is a symbol of prairie culture. The genus to which Yarrow belongs was named after the Greek Warrior Achilles who, it is said, had discovered the healing properties of the plant. Together, the name Yarrow is symboiic of the healing work of a prairie culture.

Commitment to the "doing" versus the "talking" style of therapy requires staff to learn new skills and to "do" with clients. This may involve building a canoe, hunting for an apartment or cooking a meal. This is a different pace. It involves change. Experience at Yarrow has shown that staff can feel quite comfortable in this type of role.

Conclusion

Drucker claims that the future of the public service institution, and indeed the entire welfare state, is perilously linked to its ability to respond innovatively to a rapidly changing society. Drucker says the public service institution views "the demand to innovate and to do something else as being resented as an attack on its basic commitment, on the very reason for its existence, and on its beliefs and values".

It would be flattering for us to say that we came to the Yarrow program freely and that we had designed it from our own knowledge base. This would be untruthful. We were faced with rejection and a temporary location at a time when budgets were limited. The very survival of this program depended on our willingness to respond to the need for change...to innovate.

Our program does not belong to us. It reflects our community. As long as it remains as such, it will survive and the needs of the troubled youth of this community will continue to be met.

KENOSEE YOUTH CAMP

Kenosee Youth Camp is a fourteen bed open custody program situated with the Moose Mountain Provincial Park approximately 125 miles southeast of Regina. The program started in April of 1985 to serve 16 and 17 year old open custody youth. Admission to the program are normally made directly from the courts.

Prior to the opening of the Youth Camp, an adult corrections work camp had existed in the park since 1959. Park officials had relied heavily on the work of the adult offenders in the camp and there was a fair amount of opposition from the Parks Branch at the time of

transition. However, in time, because of their need for manpower to complete park tasks and through the staff gaining some insight into the needs of the youth, a more positive attitude evolved. Some of this insight might have been gained during the parks orientation of the young offenders.

The key elements of the program include a major emphasis on the work program, education, community and family participation and an extensive recreation program. As with the Yarrow Youth Farm, a Task Oriented Approach applies at Kenosee. Youths can gain positive work habits and training experience which could assist them in their future (non-delinquent?) pursuits.

There are several components to the work program including: a) Provincial Park Work; b) Camp Maintenance and camp projects; c) community service work and; d) Paid employment.

a) Provincial Parks Work
— residents are involved in various park tasks, depending on the season and complexity of the task. They cut and split wood, rake leaves, perform campground cleanup, snow removal and fire fighting. Those youths who do well on such tasks are rewarded by being given unsupervised tasks such as mowing grass, cutting down weeds or acting as a carpenter's helper. On some occasions, residents have been given temporary releases to perform other tasks which may take them as much as 100 miles away from the park.

b) Camp Maintenance and Camp Projects
— there are no maintenance personnel at the youth camp — upkeep of the facility etc. is the responsibility of the staff and residents. The camp only has a part-time cook so a resident is given the responsibility of cooking breakfast and meals on the weekends for other residents and staff. If a good job is not done — one can imagine the response from the other residents! An effort is also made that each resident can assist in the construction of something in the camp that can be left behind for new residents to continue to build on.

c) Community Service Work
— residents earn such a placement based on their performance in other tasks. These community projects have consisted of such chores as cleaning snow for senior citizens, the demolition of old buildings, garbage collection, painting lettering on an old airstrip etc. Each day at least two residents work in the community. From these activities, community support is building. In the past year over 3,000 hours of community work has been performed and community residents have expressed their appreciation by kind words, soft drinks, other goodies and support for the camp's use of community recreation facilities.

d) Paid Employment
— "Graduates" from the other programs can have paid work — e.g. construction of a water line, fire fighting (at $6.50/hour). The youth realizes that acting irresponsibly will result in his being fired and losing paid employment. The youth in these situations enters into a room and board situation in the camp, but is still involved in the total camp program.

There is extensive mandatory recreation in the camp after the normal work day. Most activities are group oriented — examples being cross country skiing, hiking, snowshoeing and canoeing. Youths are also involved in recreation in the community, using the local skating rink, swimming pool and gym. The camp often plays matches against community teams. All such activities are accompanied by staff members because of the distance of the camp from the communities. Bible study is a mandatory activity.

Education — it was soon found that the regular school system did not work — very few students are able to access themselves to the conventional school system. Luckily the camp has three youth workers who are actually qualified teachers who can tutor residents. The staff determine the grade level and the youths do not go to school every day — possibly three afternoons a week. In conjunction with the South East Community College the camp delivers an adult upgrading program to the residents. This method consists of math, social studies, science and communication. Other areas explored are sex education, money management, drug and alcohol awareness, preparing work applications, job search

techniques and career choices. Weekly AA meetings are held on site and some youths attend AA in the community. Frequent alcohol and drug assessments are completed.

A psychologist attends the camp twice a month and a close liaison is maintained with local community workers. Families are encouraged to visit their sons as frequently as possible.

The staff at the camp is comprised of the director, 5.5 youth workers, .5 stenographer, .6 cook and 1.5 night workers. The staff perform a multi-faceted role with teams of two working on a rotating 24 hour basis. As well as the responsibility of developing and maintaining a case plan for their assigned clients, staff have other specific work responsibilities such as supervision of work projects or participating in recreational activities with the youth. Anthony mentioned that over the past three years admissions to the camp have dropped from 153 to 75 youths.

Anthony summarized his presentation as follows: "The Kenosee Youth Camp Model is a practical model which I believe provides young people with the opportunity to change previous unacceptable behaviours. It relies extensively on a task-oriented approach and it requires the acceptance, tolerance and support of the community. The community and families must learn to accept youth (teens) as assets and consider youth as stakeholders in the community. Finally, it requires the strong committment from the staff who operate the program."

Community Homes

COMMUNITY HOMES

Presentation by: Jim McIlmoyl, Director, Community Homes Program,
Young Offenders Program Branch, Saskatchewan
Social Services, 2240 Albert Street,
Regina, Saskatchewan S4P 3V7
Phone: (306) 787-7344

Saskatchewan defines Community Homes as a private home, whose operators have been recruited and trained by the department to provide contractional services for selected youth, who are either serving an Open Custody disposition, or who have agreed to reside at the home as a condition of interim release prior to their Court hearing.

The principles of operation for these homes are:

— the protection of society
— to meet the special needs of youth, i.e. supervision, discipline, control, protection
— to keep youths near their home communities
— to provide a native service delivery system, especially in the north
— to prepare youth's family and the community for the reintegration of the young person
— to provide a creative alternative to traditional custody facilities

As in most jurisdictions, the Saskatchewan Open Custody facilities are utilized on a catchment area basis, and Open Custody homes are scattered across the province and located in numbers appropriate to need. Currently, their budget can accommodate 36 youths in Open Custody homes, and they presently have 35 placements. These homes are serviced by three Community Homes' workers, and they hope to add two more. The province has a brief facts sheet that is an overview suitable for distribution to the general public, by and large their recruitment of Open Custody homes is done by word of mouth.

For judicial interim release, in some locations they have Social Workers working out of the police station, and they do screening at that level to contact parents and attempt to release home or send directly to an Open Custody home for the remand period. As well as placing Open Custody youths directly to the custody homes, there is movement from Secure Custody to the homes upon review, and from Institutional Open Custody facilities to the Community Homes Program. The Community Homes Workers are involved in writing Court Reports for the various types of reviews. As mentioned previously, the 17 homes are scattered across the province, with the most northernly home being located at Isle Lacrosse, homes are in a variety of locations on reserves, in the country, in small towns, and in cities. One of their Open Custody home operators has developed a summer cultural camp program for native youths.

The criteria for a Community Home are as follows:

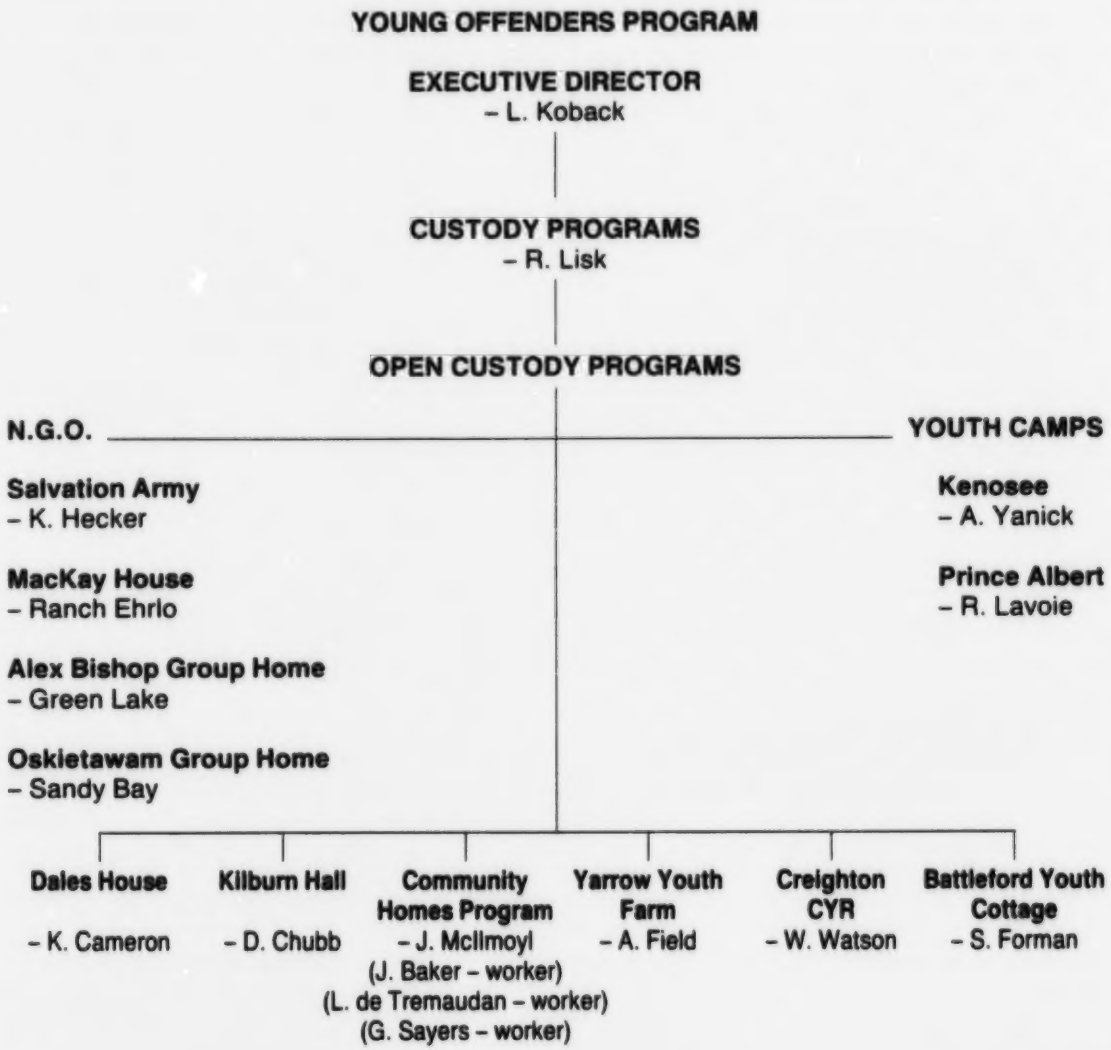
— A normal family setting. This is defined as either a married couple, a common-law couple, the blended family situation, or a single family parent
— Homes accept up to two youths, all homes are designated as places of Open Custody, and contracts are written for individual youths.
— The youth must be involved in day programming.
— There must be access to community resources, and the operator becomes the "expert".
— There is 24 hour supervision, either directly or via temporary release.
— The youth is included in family activities, and encouraged to participate in the community.
— Natural families are included as participants, either by visiting the home and talking to the Open Custody Operators, or by way of sending kids home on leaves.
— The operators maintain written records, which include progress reports.
— Confidentiality is maintained.

In Saskatchewan, the custody file that is developed on the youth travels with him, and is maintained by the Open Custody Home Operator, thus the operators have access to all reports, including medical and psychiatric. The homes are also certified as private service homes under the Residential Services Act, and must maintain standards for health, fire and programming. By Saskatchewan's interpretation of the Criminal Code and the Young Offenders Act, their operators are designated as Peace Officers, and their contracs so state. Consequently, if the operator is with the Open Custody youth away from the physical

location, the youth does not have to have a temporary release. Contracts with operators for judicial interim release are renewed on an annual basis. Homes are evaluated after the first six months and annually thereafter. They provide three two-day training sessions for operators annually, and the operators are informed that they must carry their own insurance. One worker is assigned to supervise eight to ten homes. Operationally, the province treats the operators as though they were provincial staff in terms of access to information, and in terms of attendance at staff conferences, etc. .

In matching offenders to homes, they look to place first offenders or special needs youth or native youth in the Community Homes. Special needs youths have included pregnant girls or girls who were keeping their babies with them (in this case, the expense for baby would be paid by another part of the system), or to accommodate youths who have been banished from their home reserve.

COMMUNITY HOMES PROGRAM
SASKATCHEWAN SOCIAL SERVICES
YOUNG OFFENDERS PROGRAM BRANCH



THE PURPOSE OF THE COMMUNITY HOMES PROGRAM

— To provide the supervision, discipline, control and protection required for some youth subject to either open custody dispositions or judicial interim release from youth court.
— To meet the special needs of these young people within the context of accessibility to their families and utilization of community facilities.
— To prepare young people to return to their own communities having been afforded opportunities to acquire appropriate social skills, emotional growth and learning experiences.
— To assist the families of young persons to obtain additional parenting skills and understanding of their child by their involvement in the process of working with the youth.
— To provide the community with information and assistance in coping with and reintegrating young people into their home environments.
— To provide society with the necessary protection from illegal activity by young persons.

Aspects of Program

1. Assessment/Stabilization

Youth eligible for placement in community homes for purposes of open custody shall be drawn from those who, in most cases, have already been placed in a larger custody facility. Cognizant of the special needs of youth, this placement in a young offender facility will provide for some assessment and stabilization of problematic behaviors and attitudes of youth in custody.

The assessment role of a community home utilized for a judicial interim release placement is somewhat reduced in scope compared to a placement for open custody purposes. This is due to the fact that judicial interim release placements are made from court directly and are generally for much shorter periods of time than a custody placement. Youth for whom there is no family member or other responsible adult acceptable to the court are eligible to be considered for community home placement on judicial release.

2. Case Conferences

Within three weeks of admission to the Community Homes Program an admission conference will be held attended by the youth, his/her parents or guardians, home operator, youth worker and the community homes worker. This admission conference could also include participation by the youth's lawyer at the youth's request. The admission conferences will introduce all parties to the program and requirements of the Young Offenders Act, provide discussion of placement issues and social history, and begin initial plans. With the exception of visits by a youth worker preparatory to a court appearance; the admission conference will likely be the only conference for judicial interim release placements. Open custody case conferences will be held approximately six weeks after admission. At these conferences progress of youth in custody will be reviewed and planning will be updated. The same parties would be involved as in admission conferences. Further case conferences will occur regularly thereafter until completion of the open custody disposition or until other discharge from the program is arranged (review, transfer).

3. Family Involvement

It is the intent of the Community Homes Program to involve the family wherever and whenever prudently possible from the outset of the youth's placement in a community home. The family will be included and consulted during all conferences, as well as encouraged to visit throughout their child's placement. In custody situations efforts will be made to accomodate family contact through the use of temporary leaves of absence. Regular and ongoing communication among the youth, the family and the operator will be maintained.

4. School/Training Programs/Employment

The day programming component of the Community Homes Program is essential to the success of the program and it relies heavily upon the utilization of community resources.

For youth in the 12 - 15 year age range school attendance is mandatory. Whenever possible, young people will remain in their own or similar community schools. There will be communication between the operator and the school as deemed necessary. Provisions will be made to access tutorial assistance when indicated and available. Participation in extra-curricular programs will be encouraged with a view to improving the youth's social skills as well as being an appropriate source of leisure activity. Adequate time will be allotted for homework and study, supervised and/or assisted by operators.

In addition to full or part-time enrollment in an educational facility sixteen to eighteen year old young persons have the option of becoming involved in a work/study arrangement or to be employed in the work force or in volunteer work. All youth placed in community homes shall be occupied in one of the above noted activities or in some similar constructive endeavour.

5. Recreation

An emphasis on recreational activities within the community will be an aim of the Community Homes Program. Participation in community sports, and use of community facilities will provide youth with adequate sociable leisure time activities. In addition operators are encouraged to include the young person in usual family activities and outings.

6. Counselling

Within an atmosphere of mutual respect and developing trust, community home operators will fulfill a counsellor role relating to the goals of the youth's plan. The operators recognize the needs and abilities of the youth relative to their individual levels of maturity. Skills in this area can benefit youth by motivating them towards self-examination and encouraging personal growth in societally acceptable fashion. Skillful leadership by operators can also build and support positive peer relationships to counter negative peer group patterns often displayed by youth in custody or otherwise in conflict with the law. In instances of previous involvement or demonstrated need, outside referrals to professional counsellors such as psychologists can become part of individual plans.

7. Spiritual and Cultural

Young people shall be allowed access to and choice of religious/cultural observances and/or other spiritual counselling they require. However, all such participation will be voluntary and subject to availability, accessibility and relevant security concerns. Recruitment of operators of native ancestry and the development and utilization of culturally appropriate resources for native youth is a major priority of the Community Homes Program. Opportunities such as participation in spiritual/traditional camps will be extended to as many interested youth as possible.

Community Homes

Community Home Operators will be recruited province wide by workers reporting to the Community Homes Program Director in Regina. The Community Homes Program will provide spaces for one or two young persons per private home. A separate contract will apply to each placement and payment for services will be calculated on a per diem basis. Families recruited for these homes shall display high levels of stability in their home lives. They shall possess a background of education and experience consistent with the demands of a special needs service to adolescents. These families will be active participants in initial and ongoing training provided by the Department of Social Services. In providing a demanding service to the Department within their communities, these families will be encouraged to develop a sense of competence, responsibility and pride in their role. Ongoing support from Social Services personnel, an adequate remuneration schedule and provision for mutual support and contact among other home operators will recognize this commitment.

Selection Criteria

— Initial recruitment will be primarily by personal contact and word of mouth referrals from other operators or community members and through contacts developed by Department of Social Services workers.

— Current family services resources will not be used.
— All possible reference checks will be made including Criminal Records Check, abuse records, and other specialized sources of information consistent with prudence and appropriateness of such inquiries.
— Absolute confidence will be maintained and required.
— Operators must possess ability in the area of communications including writing skills.
— Operators will be expected to travel from time to time to meet with other operators for training purposes.

Selection of Youth

Male or female young persons 12 - 18 years of age fulfilling open custody dispositions or requirements of judicial interim release are eligible for consideration of placement in a Community Home. Variable factors affecting selection include:

— Length of disposition especially in relation to age of youth.
— Availability of a Community Home in or near youth's home community.
— Nature of the offence or alleged offence — having regard to abilities of home operators and nature of community eg, a youth having committed extensive property offences in a small town may not be successfully placed in that community, the converse perhaps being more likely if community were larger.
— Nature of youth — the selection of youth for this program is pre-disposed to those individuals who have a desire and the ability to demonstrate that the environment of an institution is not required for their completion of a custody disposition or for remand purposes, and that a private home setting would meet their needs.
— Special needs of the youth such as special education, tutoring, psychological testing, assessment or counselling, physical restrictions such as ongoing therapy or treatment not universally available.
— Special abilities of the home operators such as past counselling experience, involvement in community activities, sports, service clubs, churches, A.A., specific business or job skills.
— Availability of resources — schools, job opportunities, recreation, self-help groups, professional consultants, and provision for completion of community or personal service orders.
— Community Homes are not intended as a local resource for youth convicted of summary offences.

Role of Provincial Youth Facilities

— The Community Homes will be administered from the Regina Social Services office of the Community Homes Program at:

Community Homes Program
2240 Albert Street
REGINA, Sask. S4P 3V7

— Referrals of youth completing open custody dispositions shall originate from youth workers or from staff from various Young Offenders facilities — judicial interim release referrals shall originate from JIR workers or in their absence, youth workers.
— Youth selection panel shall consist of community homes worker, youth workers, and, when appropriate, the facility worker or director of Community Homes Program.
— Designated government operated youth facilities will provide 24 hour emergency telephone consultation to home operators and/or forward messages to the community homes worker.
— These same facilities will also provide emergency custody in event of unforeseen events in the community home precluding continued placement of open custody youth in the home.

Role of Community Homes Worker

— Recruit home operators.
— Effect placement of youth in consultation with community home operators.

— Initiate and maintain direct personal contact with home operators on a regular basis.
— Design and ensure implementation of the mandatory and optional components of training and other educational opportunities for home operators.
— Act as a resource person for referrals of operators to specific agencies such as Child and Youth Services or other professional services.
— Perform regular evaluations of community home operators delivery of contracted services

Role of Youth Worker

— Involved in pre-selection of youth for community homes program through knowledge of selection criteria and other program descriptions of the Community Homes Program.
— Participates in admission conference in the community home with the program worker and operator.
— Would be a contact person for the youth should difficulties arise in the community home which the youth can not resolve in the home alone.
— Youth worker will continue to be responsible for handling any court related matters such as reviews, appeals, reports, etc.
— Involved in regular case conferences in the community homes.
— Youth worker to be consulted regarding the youth's use of Temporary Absences, when the youth is completing an open custody disposition.

Role of the Community Home Operator

— While not acting in a substitute parent role, the home operators job is more dynamic than simply ensuring custody by enforcing curfews or limits on peer contacts etc.
— Provide clear guidelines for the youth as to expectations, rules, discipline etc. of the home.
— Ensure adequate measures are taken to provide supervision required at all times to maintain the custody aspect of the home if it is so used.
— Participate in admission and regular case conferences with the youth worker, family and program worker.
— Maintain written records on youth in their homes which will be available to the youth worker for purpose of compiling court reports.
— Encourage the youth's natural family or guardians to visit frequently and to participate in joint sessions with them to share information about their child and his/her progress in the home.
— Encourage and support the youth's participation in societally acceptable, and properly supervised community activities eg. sport leagues, church, self-help groups (A.A., Al-a-teen, N.A., etc.), hobbies, job skills development.
— Actively work with youth by counselling and modelling attitudes and behaviors which will preclude the youth's reoffending.

Community Home Operators — Training

Basic orientation and pre-placement training will be presented to new operators on a continuous, individual basis.

More formally structured ongoing training will be offered to operators in order to maintain and update skill and knowledge levels. Reimbursement of travel, lodging and babysitting expenses will be offered for training sessions. Optional training will be individualized to operators and will be need specific. Operators will also be encouraged to seek self-development, such as university/community college classes.

Scheduled training sessions to be offered three times throughout the course of one year will consist of a variety of presentations covering the following topic areas:

1. **General Knowledge**
   — Young Offenders System
   — Needs/Rights of Young People
   — Rationale of Community Home concept — why it works
   — Sample case history

2. **Program Specific Skills**
   — Administration — paper work
   — Writing Skills — reports — files
   — Case Planning — assessment — resource knowledge
   — Counselling Skills — models — practice
   — First Aid Skills
3. **Informational**
   — Drug and Alcohol Awareness
   — Health Issues — A.I.D.S. — communicable diseases
   — Abuse — sexual, physical, emotional
   — Other topics of interest to operators
4. **Self-Development**
   — Resource Building
   — Problem Solving

Community Home Operators — Evaluation

In the initial training package for Community Home Operators, a copy of the **Standards** will be distributed and explained in detail. The system of rating will also be explained at that time. This will ensure, from the onset, that operators are cognizant of the expectations placed upon them. Standards will be applied to the home as well as to the operators.

Training needs identified through the evaluation process shall be considered and arranged by the Community Homes Worker in order to assist in the progression towards the standard or to maintain a standard.

COMMUNITY HOMES PROGRAM
SASKATCHEWAN SOCIAL SERVICES
YOUNG OFFENDERS PROGRAM DIVISION

February 14, 1989

THE COMMUNITY HOMES PROGRAM

The Community Homes Program was developed in 1987 with the mandate to develop sixteen open custody spaces in Southern Saskatchewan and eight judicial interim release homes in the North. As homes were recruited, it was decided to develop each home with the capacity to provide space for either open custody or judicial interim release. In early 1988, the program expanded to include the central region of the province, mainly the Saskatoon area, thus giving it a true provincial perspective.

Community Homes have been developed in areas that have a relatively high rate of custody. Since open custody facilities admit youth on a catchment area basis, it was decided that Community Homes would complement existing custody beds by providing numerous options in each geographic area. These additional beds have not only provided a wider range of custody options, they have helped to reduce overcrowding and have allowed many young people to remain in or near their home communities. In addition to providing additional open custody spaces, these homes have provided supervision to youth prior to court hearing in lieu of remand in police cells or secure custody facilities.

Community Homes vary in that there are many urban homes in our largest centres, numerous farm homes, some in small towns, some on reserves and some in the north of the province. Since 50% of the homes have native operators, with a greater percentage in the northern part of the province, the entire Young Offender system is better able to incorporate native cultural and spiritual components for native youth in conflict with the law.

In spite of the wide range of homes throughout the province, the Community Homes model has the following common ingredients:

- A family atmosphere is maintained by placing only one or two youth in each home. On average, each home has one full-time space occupied in a year.
- A family is expected to provide access to day programming within the community. Youth, therefore, must attend school, vocational or volunteer programs. Young people may also be employed in the community.
- The homes are supervised by one of three workers in the province. The worker is responsible for recruitment, co-ordination of case management and evaluation of the home.
- Operators maintain written files and progress reports on young people placed in their home. Their input into regular case conferences is essential.
- Each home is designated as a place of open custody and each operator has the authority of a peace officer as defined in the criminal code.

The Community Homes Program has provided the flexibility within the Young Offenders system to allow for the specific needs of many youth. The program has the following functions:

- It provides additional custody and judicial interim release spaces throughout the entire province.
- It allows for some young people to remain in their own communities instead of being sent elsewhere for open custody or remand.
- It allows for a range of custody and judicial interim release options within each catchment area.
- It provides an excellent pre-release option to youth in larger open custody facilities and another alternative for youth reviewed from secure to open custody.
- It allows young people with special needs to have access to resources while still fulfilling open custody or judicial interim release responsibilities.
- It allows, on occasion, some young people to be placed away from dangerous situations, ie., a rural placement of an urban "street kid".
- Certain homes provide a distinct native cultural experience for native youth.

- It provides a healthier environment for some young people who have difficulties functioning in a larger group such as in the more traditional custody facilities.

Young Offenders Program Division
February 14, 1989

COMMUNITY HOMES PROGRAM

Recruitment, designation/licencing, payment (per diem), support and supervision:
- Recruitment is done by word of mouth referrals through three workers in the province;
- Homes are designated as open custody facilities, all are being certified as Private-service Homes through the Residential Services Act;
- $30.00/day;
- Supported by community homes worker;
- Approximately one worker per 10 homes.

Independent vs. Employee:
- Operators are not employees but are "peace officers" as per the contract and the criminal code. Annual evaluations are completed by the worker.

Guarantees for Placement:
- No guarantees, contract is defined in terms of services to a youth and for the term of residency as determined by the case management process.

Policies and Procedures:
- As per program policy and procedures manual, consistent with provincial policy.

Assessment Prior to Placement:
- Usually in a larger open custody facility. Direct court referrals are based on the PDR and youth worker assessment.

Pre-placement Visits:
- Arranged when possible, usually a couple of hours in the week prior to placement. Extended pre-placement visits may also occur, ie., weekend.

Locations — Rural vs. Urban:
- 29 approved homes on a province-wide basis;
- 15 — located in Regina (2), Saskatoon (7), Yorkton (1), Prince Albert (1), Moose Jaw (1), Swift Current (1), Weyburn (2). North — 12, Central — 8, South — 9, Native — 14, non-native — 15.
- 5 located in small towns, villages
- 4 located on Indian reserves
- 5 on farms.

Size, number of beds:
- Each home has capacity for up to 2 youth; the average is one youth per home on a full-time basis.

Types of Youth:
- Youth that can function in the community (school or work), usually non-violent, and youth who function better in a smaller group.
- Contract : Open Custody — per youth
  : judicial Interim Release — one year.

Respite:
- In control of homes operator, up to 2 days/month.
- Longer periods are negotiated by the operator, youth may be moved. Can rest between youth, take time off.

Education Involvement/Work Program:

- All youth must become involved in the community either through work, school, work preparation or volunteer programs. May be paid as an employee of the Homes Operator, ie., farm work, trade.

Treatment mode:

- In context of a private home and family model; not a group home.

Use of Temporary Absences/Supervision:

- Temporary Releases are used for all unsupervised, away from home activities. Overnight and day passes are separate.
- Supervision is expected 24 hours/day either directly or through a Temporary Release.

Expectations of Custody Home, Probation, Other Staff:

- As outlined in the program description.

Day in the Life of Operator:

- Normal activities which include supervision, counselling, recreation, and family activities.

Parental Involvement:

- As much as possible through case conferences (formal), home visits, parental visits, sharing of progress with parent (informal).

Escape Lawful Custody:

- Reported to police, court appearance, may or may not return to the home.

Internal Discipline:

- Behaviour management does not include corporal punishment, only restraint if necessary. Use of logical consequences such as grounding.
- Transfer to other open custody facilities when appropriate. Transfers to secure custody may be considered if circumstances warrant.

Young Offenders Program Division
February 14, 1989

COMMUNITY HOMES

Presentation by: Presenter Reuben Orenstein, Program Consultant,
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New Brunswick is unique in that Open Custody services in that province are provided by the Department of Health & Community Services through a purchase of service agreement with the Department of the Solicitor-General. In turn, Health and Community Services contracts with private Open Custody Home Operators and Group Homes for delivery of the service.

New Brunswick is also unique in that it is solidly into a Child Welfare model of service delivery, which has a historical base since the two departments worked closely prior to inception of the Y.O.A. . Health & Community Services provided aftercare services to youth existing from training school. The memorandum of understanding between departments gives Health & Community Services full responsibility for Open Custody placements, and case management. This includes the full Child Welfare service range, including services to families. Child Welfare services are available up to age 19 in New Brunswick. As with other provinces, Open Custody Home services are regionally delivered across the 11 regions of the province. All the Open Custody home resources whether they be group or individual Open Custody homes (foster homes) are recruited through the regional Child & Family Service Workers. All the foster home type Open Custody facilities are automatically designated upon aporoval (i.e. as a class) as places of Open Custody. They do the designations of group homes on an individual basis.

The Department of Health & Community Services created Young Offender Act Social Worker positions in all of the regions, and this person acts as the Case Manager for Open Custody youths. The worker also acts as liaison between the Solicitor-General Worker and the Child & Family Services Worker if one is already assigned to the family. The intention of this model was to avoid duplication of existing resources. Of the approximately 100 youths in Open Custody, up to 45 youths are in foster homes at any one time. When half of the homes are exclusively Open Custody, and the other half are mixed with Child Welfare and custody placements residing in the same place. They found they had to develop homes for youths over age 16, because most of the Child Welfare facilities had a criteria of admitting kids only up to age 16. All youths are immediately given temporary release status, which is renewed automatically every 15 days. The Young Offender Worker is responsible for revocations or 15 days transfers. Once revoked, the youth is confined to the house and this has to be reviewed within one day. In New Brunswick, they see no distinction in the Young Offender's Act vis-a-vis how to treat youths when comparing that act with the Child Welfare Act. They thus have within their treatment model, no distinction with regards to treatment of either category of youth. They view this as a label distinction only. They attempt to match the youth with an Open Custody facility at the stage that they are preparing reports for Court that they do keep foster home beds available on a retainer of $5.00/day so that they are readily able to place unexpected committals. They note that since they are contracting their programming, they respect the fact that the operators own their own programming and thus, they have a variety of programs and approaches available. Unlike other jurisdictions, they note that the number of 18 year olds actually in Open Custody placements are far less than what other jurisdictions have experienced and their rate would run about 5%. For special needs youth, they make use of the generic resources in the community, such as the Addictions Foundation, as well as other specialized agencies. New Brunswick indicates that Judges have never raised the issue of mixing O.C. youths with Child Welfare placements.

The Federal Government representative asked whether there was much use of out of province placements for Open Custody. None of the individuals present reported any accessing of resources in other provinces or U.S.A., although this was a common practice in some jurisdictions prior to Y.O.A. implementation.

Intake & Discharge Procedures

INTAKE AND DISCHARGE PROCEDURES

Presentation by: Terry Smith
Shelburn Youth Centre
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Shelburn, Nova Scotia
(902) 875-3191

Nova Scotia is one of the provinces with a split jurisdiction. The Shelburn Youth Centre is the open custody facility for male youth ages 12 to 15 years who are from the Dartmouth-Halifax region. They also accommodate all the females, ages 12 to 17 years, sentenced to open custody and secure custody in the province. In addition, they detain all youth 12 to 15 years, from the Dartmouth-Halifax area that are on a remand status.

The Shelburn Youth Centre has established a receiving unit to provide orientation and assessment. The receiving unit is also used to detain those youth with a sentence of two months or less or who are on remand status up to two months.

The intake procedure begins with a supervisor explaining the procedures to a new detainee. The supervisor then places the youth in the receiving unit where he/she is assigned to a staff member. The next day the staff will begin gathering information and filling out forms. The staff will gather Pre Disposition Reports, social histories, and psychiatric or psychological reports. It takes about one week to gather this information. Staff can ask for psychiatric and psychological assessments if they feel they are necessary. Staff observation is part of the assessment process. The youth is involved in the case planning and signs a contract agreeing to the plan.

Youth remain in the reception unit until there is space available for them in the appropriate longer term unit.

The school attendance program uses community college and Shelburn High School as much as possible. The female unit has their own school program.

The life skills unit is for youth that aren't returning to school. It is a relatively new program. The emphasis is on job training with some academics. The youth are paid $3.50 per day. The program has to be constantly reviewed to keep the job training relevant to the job market. Females can take part in the life skills program.

All program areas offer driver education, wilderness program, bowling, horseback riding, ice skating, religious programming and alcohol counselling. Legal aide comes in once a week to talk to the youth and they initiate reviews when appropriate. One day a week each unit is responsible for preparing the meals under the direction of a cook. Community service work is encouraged and whenever possible CSO's are done while in custody.

Due to the location of the Shelburn Youth Centre, it has been difficult for parents to visit youth in custody there. The Centre has started paying the transportation costs and are looking into setting up a unit where parents can stay overnight when they visit.

The Youth Centre is also attempting to start a volunteer program that would do after-care.

The average age of youth in the Shelburn Youth Centre is 16 years old. The average length of stay is 4-1/2 months.

Section 29.1 reviews have been fairly successful, averaging two a month. There are few mandatory reviews because sentences aren't long enough.

Temporary releases are the responsibility of the Youth Centre staff and the Probation Officer. The case is reviewed by the staff at a staff meeting and a recommendation is made to the Probation Officer. The Probation Officer contacts the family. In order to be granted a t.a. the youth must have finished 1/3 of their sentence.

Custody Reviews 28(1) Y.O.A. 29(1) Y.O.A.

CUSTODY REVIEWS

Presentation by: Alan Markwart
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Summary of Presentation:

In British Columbia, the assigned Probation Officer maintains Case Manager function for youths committed to Custody, both Open and Secure. Therefore, a relationship of joint responsibility exists between the Probation Officer and Institutional Staff. There are however, some institutional Probation Officers and in some cases, a senior Correctional Officer may assume Case Manager responsibilities resulting in some instances with youth not having their Case Manager being a Probation Officer based in the community. The Case Manager is responsible for co-ordinating the Case Plan, T.A.'s, Release Plans and Reviews. Case management plans are updated monthly.

Administrative input into the Review process is primarily in the area of informing Case managers of Mandatory Review dates. In addition, policies have been established setting 1/3 and 2/3's of sentence as being dates on which Early Release may be considered. Due to the joint relationship in instances where the Case Manager is a community based Probation Officer, occasionally conflicts arise between the Case Manager and institutional staff. In general, it is most often the Probation Officer who is resistant to having the youth's committal reviewed early especially if the Probation Officer is from a rural area. In such cases, rural Probation Officers prefer to have the youth serve the full term.

A process has been established in B.C. to resolve such conflicts. At 1/3 of sentence, both the Case Manager and the institutional Case Worker must agree if a Review is to be pursued. If there is no agreement, the Review process will not be initiated. The youth will however be advised of his right to initiate a Review in such circumstances. In B.C., very few Reviews occur at 1/3 of sentence and for Reviews which do take place, they generally involve moving a youth from Secure to Open Custody.

At 2/3's of sentence, only one party need be in favor of a Review for the process to be initiated. However, one practical problem with such criteria is that if the Probation Officer is not in favour of the Review, and since the Probation Officer is responsible for writing the report, a negative report will likely be compiled and submitted to Court.

Most Reviews, which reach the Court deal with Open Custody Committals, very few deal with Secure Custody. Of the Secure Custody cases reviewed, very few involve moving youths to Open Custody from Secure. Of the cases which are reviewed, most are for sentences of five months or greater. It is impractical to review sentences of ninety (90) days or less. The majority of Reviews occur at the 2/3's point. For Reviews initiated by the youth, those done in Vancouver have been most successful as Judge's tend to be more liberal and there is less community resistance.

When a youth's committal is to be considered for review, the criteria taken into account include: 1) the potential risk the youth poses to the community, 2) the Judge's intentions with respect to sentence, 3) the viability of the community plan or release plan and 4) the institutional behaviour of the youth. Institutional behaviour is most often the contentious issue between the Probation Officer and institutional staff.

No specialized programs exist for youth released on a Review. Programs and resources already in existence for youth on probation are utilized. In urban areas, more resources are available. In Vancouver, an Intensive Supervision Program accessed through the use of contracts exists. The program provides supervision, life skills and recreation for up to 170 youths. There is also three probation based school programs offered in older schools which have been re-opened in Vancouver, Victoria, and Nanaimo. The program offers an alternative to the alternative classes or programs offered in the public schools. Costs are

shared 50/50 between Ministry's of Attorney General and Education. There is a low ratio of 10 students to two staff, one being a teacher, the other a Child Care Worker.

Other programs include a Community Home Program, and Individual Home Programs. A Private Society runs three programs: Community Home Program, Alternative School Program and an Intensive Supervision Program.

A common problem encountered in rural areas is locating appropriate residences for youth. Conflicts with Social Services agencies occurs as youth 19 and under may be in care however those 16 and over are not in need of protection according to Social Services. Corrections does not provide care in rural communities, therefore Social Services should provide services to youth aged 16-19. The situation is quite variable depending on the community and the conflicts often are determined by the availability of resources. In general, much of the capacity of available resources is being absorbed by victims of sexual abuse.

With respect to Policy, Reviews initiated by the Provincial Director utilize Section 29(1). Section 28 Reviews are reserved for Mandatory Reviews and Optional Reviews initiated by the youth or parent. In reality, the actual practice is dictated by the Judge's preference. Inconsistancies between Judges do exist.

Procedures of Reviews which are utilized have been agreed to by the Chief Judge of the Province. Different practices are utilized for Section 28 Reviews both mandatory and optional. There are designated Courts to handle Reviews and these are located closest to the institutions in order to save time and money by reducing distances which have to be travelled. These procedures are not practical in the Vancouver area which accounts for 45% of Custody Cases. In Vancouver, Reviews are heard in the Sentencing Court.

In summary, various practices are utilized depending on the region of the province and perhaps the Judge. Normally, a Review may be completed in two Court appearances, however in some more unusual circumstances, four appearances may be required. The Review Process is consensual. Reviews are generally allowed and are only denied if frivalous.

For Section 29 Reviews, all are conducted in the sentencing Court. Procedures as set out in the Act are followed. If there are no objections to the Review, the Probation Officer will arrange for a Court date. Youth are not required to appear. The Judge will make a decision, generally endorsing the recommendation. An appearance date is then usually set for the following week and the youth must be in Court. The youth is usually given a seven-day T.A. between the two Court dates. When the youth appears in Court, the probation order is read and signed by the youth.

In summary, many youths serve their full terms in B.C. Short term committals of three months or less are not reviewed and short term committals make up the majority of sentences. Consecutive temporary absences are not utilized in the province as the attitude is one of "not tampering with judicial intent."

No discussion followed due to time constraints.

Services to Minority Groups

SERVICES TO MINORITY GROUPS

Presentation by: Terry Epp
Ministry of Social Services
Yellowknife, N.W.T.
(403) 873-7705

Services to minorities in the N.W.T. would be services to white people. The idea of minority groups is relative, it depends on where you are.

There are a wide variety of groups within the North West Territories. There are 8 language groups other than English. Many of the young people speak a combination of their own language and English. Most of the bigotry is between native groups in the N.W.T. rather than between natives and whites.

Open Custody is all privately contracted. Standards are different across the Territories. Per diem rates vary across the Territories as well ($87.50 to $230.00). The Ministry of Social Services are attempting to develop some consistency. They developed five criteria to be looked at when deciding to designate an open custody facility.

The five criteria are:

1) the history between the culture and the government. Including the factual and emotional history.
2) community ownership.
3) formal education. The native leaders feel that their children will lose in the future if they are not given a formal education. They are not in favor of the land based programs unless the youth is too disruptive to be in any other program.
4) traditional education. Each community needs to identify what their traditional values are. Traditional values can best be taught by leaving youth in their own community.
5) Y.O.A. legal issues.

The Ministry of Social Services gets 15 to 20 proposals a year for open custody programs. Each proposal is evaluated on the basis of the above criteria. The existing programs will probably be audited on the basis of these criteria.

There are a number of implications of using these criteria:

1) political
2) control — how do you control the program and evaluate the program if the community owns it.
3) changes of administration
4) philosophy
5) consistency
6) results may be the next generation

All programs are jointly designated open custody and child welfare. This is due to financial considerations more than because of a philosophical view.

Temporary Release Programs

TEMPORARY RELEASE PROGRAMS

presentation by: Dennis Provenski
Community Corrections
Community and Youth Corrections
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Phone (204) 726-6475

Summary of Presentation:

In Manitoba, Temporary Release Programs or Transition Monitoring is an intensive supervision and assistance regime which may be utilized for youth both in Open and Secure Custody. The objectives are to minimize the disruption of beneficial community ties, to promote reintegration of the offender into the community and to provide supervision and assistance. The philosophy of the program is to promote the full return of the youth to the community by extending services and assistance to the youth by involving parents and by utilizing major consequences for non-compliance. The program is viewed as being an integral, yet distinct phase of custody. It is not viewed as simply being a reward for good behaviour while in custody, however behaviour is taken into account.

The Temporary Absence Monitor works on a one to one basis with the youth. Regular contact is maintained with the youth and the family. The T.A. Monitor utilizes appropriate community based resources whenever possible and works in conjunction with and takes direction from the Case Manager. This approach is intended to be wholistic.

In practical terms, the intention is to return the youth to the community as early as possible. The Temporary Absence is an integral part of the release plan, which in turn is a major component of the overall case plan. T.A.'s with supervision allow for the youth's ability to function acceptably in the community to be monitored and therefore assessed. Monitoring on intensive supervision would typically involve in-person contact three times per week with daily telephone contact, weekly contact with the school and/or employer, regular contact with parents, curfew checks and the monitoring of attendance at required treatment programs.

As indicated earlier, Temporary Release with Supervision is considered to be the transition step or second step of the three part process of: 1) Custody 2) T.R. with supervision and 3) Supervised Probation. At present, consideration is being given to expanding the program. The T.A. Monitoring program is currently used most often with Open Custody youth however youth in Secure Custody at Agasiz may be placed in the program once they are on the Pre-Discharge Program in the institution or upon serving one half of term if serving Secure Committal in M.Y.C. in Winnipeg. T.A's with supervision are granted to the youth's home community whenever possible. If the T.A. is revoked for non-compliance, the youth is returned to the institution or place of custody. Revocation does not preclude the utilization of the program at a later date.

Discussion:

In response to the question as to how the program came about, it was indicated that the T.A. Program grew from the philosophy of the Department and that it was intended to reduce the high numbers of youth in custody by releasing those youth who were not a risk to themselves or the community.

In response to the question as to how youth get involved in the program, it was indicated that the Case Manager would refer the youth to the T.A. Monitor as agreed to and established in the Case Plan. However, prior to initiating the referral, all involved parties must agree, including the youth, parents, institutional counsellor and Probation Officer.

Further discussion revealed that significant differences in the utilization of T.A.'s exists across Canada. The majority of provinces do not utilize consecutive T.A.'s as it is considered to be an act of overriding "Judicial Intent". As a result, the majority of provinces have not delegated the authority to grant extended T.A.'s to field Probation Officers and/or Regional Supervisors.

Guest Speaker

OPEN CUSTODY WORKSHOP

Guest Speaker

Don Demers, Assistant Deputy Minister, Manitoba Department of Justice addressed the workshop participants at a luncheon. His speech addressed the Young Offenders Act highlighting "Open Custody".

Following is a copy of Mr. Demers speech: I would like to welcome participants to Winnipeg — the "real" Central Canada.

Role of ADM

As an ADM, I am usually asked to address an audience that invariably knows more about the subject than I do.

In an attempt to say something useful, therefore, I want to make some general remarks based on my experience, in a former life, as D.G., Young Offenders in Ottawa.

Open Custody Workshop

The YOA was conceived in response to a growing consensus about the inadequacies of the JDA, which had been in force, virtually without change, for nearly seventy-five years. In so doing, it attempted a fundamental restructuring of juvenile justice philosophy by moving away from the rehabilitative ideology and the medical model of human behaviour which formed the "raison d'etre" for the JDA.

I fully support that change in that I do not wistfully remember the JDA as a "golden age" wherein the therapist and delinquent engaged in a socratic dialogue in an eleysian program on the road to enlightment.

Rather, the YOA more realistically attempted to establish a rights and responsibilities framework wherein apparently contradicting principles, such as the protection of society and the special needs of young persons, are weighed in articulating a response to a particular fact situation. From a correctional perspective, many of the concerns voiced about the YOA by juvenile justice program administrators are undeniably due to the Act's impact on their ability to exercise their professional discretion.

Open Custody Workshop

The YOA accomplished this by:

— shifting considerable discretionary power to the judiciary;

— introducing a number of "due process" elements, and,

— making visible to the public what had therefore been a largely invisible process.

In this regard, the YOA is not some legal aberration but rather the product of larger forces that are affecting Canadian society as a whole. They are key elements of a new socio-legal environment that we must respond to in order to responsibly fulfill our mandates.

More specifically, the custody provisions posed some serious challenges to program administrators and they quickly became the focus of federal-provincial debate.

The most common questions asked of federal officials were:

— whose bright idea was it to create "open custody"?

— what is it?

— why was it created?

Suffice it to say that definitive responses are not easy to formulate. In response to the first question, we were never able to satisfactorily track the genesis of open custody or identify the culprit. As I recall, the Bill that was sent to the Justice and Legal Affairs Committee for parliamentary scrutiny did not specify two custody levels. It came out with two levels, however, and the Committee Debates only make passing reference to it. Nor did the Debates shed much light on what open custody should be other than to indicate that security would not be the paramount consideration. Nor does the legislation offer much

assistance other than to list a number of sites where open custody might occur. As such, correctional people were left with an oxymoronic concept (like "jumbo shrimp") to guide their program development. What ultimately emerged, in terms of diversity or commonality, will presumably surface during the workshop.

Why it was proposed is a more interesting question. In my opinion, the authors attempted to respond to a number of pressures/factors, notably the principle of restraint (least restrictive alternative).

— They felt that the gap in the continum of services between probation and custody was too great and that in order to give Judges a more meaningful say in the nature of the sanction imposed, facilities providing something less than secure custody were required.

— In addition, they wanted to avoid a clear separation between custody and the community by offering a sanction that had strong elements of community contacts and services, including child welfare elements.

— They wanted fiscal restraint by offering a disposition that would allow provinces, where possible, to draft new procedures on existing programs without massive structural changes and related expenditures;

— They wanted a custodial sanction that would effectively respond to the long standing problems of service delivery in rural remote areas.

Whether they were successful, is open to question. We do know, however, that there have been numerous demands for amendments.

Even if open custody were to disappear, effective youth justice programming will continue to be a fundamental systems requirement.

This is why gatherings like these are so important. We need to communicate much more than we have at the operational level in all correctional sectors in order to share our common concerns and our proposed solutions. I hope this workshop will be very productive and that you'll find the time to think about whether this process is worthwhile and, if so, how it can be repeated or expanded.

Best of luck!

Present and Future

OPEN CUSTODY WORKSHOP
WHERE DO WE GO FROM HERE?

At the end of the workshop we explored the need for continued communication between provinces and territories on matters related to the implementation of the Young Offenders Act. The following are thoughts and suggestions highlighted by participants:

a) Provinces and Territories should meet every year to look at changes or amendments being discussed to provide information and to assess viability of proposals.
b) The federal and provincial governments should be concerned with the consistency in the application of the law across the land. Periodic inter-provincial meetings would provide the avenue to table various legal issues.
c) Continued meetings would provide us an opportunity to build on one another's experiences — to look at strengths and weaknesses of various programs.
d) It was also identified that there was a need to look at other aspects of the Young Offenders Act in a similar workshop format. Examples given were Alternative Measures, Fine Option.
e) Opportunities are needed to meet with field level staff to discuss in detail the various methods of developing effective community based programming.

Planning Committee Comments:

The feedback from participants across Canada on the Open Custody workshop was very positive. The informal but organized format resulted in sharing of ideas both in the workshop and while socializing.

Manitoba was honoured to host the first of what we hope will be many workshops.

Appendices

NATIONAL OPEN CUSTODY PROGRAM WORKSHOP

TUESDAY, April 11, 1989

8:45 - 9:20 a.m.	CROWN ROOM (Lower Level) (Croissants, Coffee & Conversation)
9:20 - 9:30 a.m.	W E L C O M E! (Nancy Barkwell)
9:30 - 12:00 a.m.	PROVINCIAL AND TERRITORIAL OVERVIEWS 1. Terry Epp: North West Territories 2. Mike McCann: Yukon 3. Alan Markwart: British Columbia 4. Frank Vosterman: Alberta 5. Ron Lisk: Saskatchewan 6. Marcia Thomson: Manitoba 7. Kristen Hendrikson: Ontario 8. Dr. Paddy Colfer: Ontario 9. Claude Perrault: Quebec 10. Tom Richards: New Brunswick 11. Terry Smith: Nova Scotia 12. Bill Lonar: Nova Scotia 13. John Pickett: Prince Edward Island 14. Herb Maddick: Newfoundland
12:15 - 1:30 p.m.	L U N C H: Crown Room (Guest Speaker: Don Demers Assistant Deputy Minister Manitoba Department of Justice)

1:30 - 2:30 p.m.	**GROUP A**	**GROUP B**
	Institutions	**Institutions**
	Presenter: John Picketts P.E.I.	**Presenter:** Frank Vosterman Alberta
	Facilitator: Darryl Rumsey	**Facilitator:** Mel Armstrong
	Recorder: Joy Waters	**Recorder:** Don Davis
2:30 - 2:45 p.m.	B R E A K	
2:45 - 4:00 p.m.	Institutions Continue Discussions and Questions	
5:00 - 5:45 p.m.	MANITOBA YOUTH CENTRE TOUR (Optional)	
6:00 - Midnight	DINE AND DISCOVER WINNIPEG (Optional)	

WEDNESDAY, April 12, 1989

8:45 - 9:30 a.m.	CROWN ROOM (Muffins & Morning Mumblings)

9:30 - 10:30 a.m.	**GROUP A**	**GROUP B**
	Group Programs	**Community Homes**
	Presenters: Andrew Field (Sask.) Tony Yanick (Sask.)	**Presenters:** Mike McCann (Yukon) Rubin Orstein (New Brunswick)
	Facilitator: Louis Goulet	**Facilitator:** Marcia Thomson
	Recorder: Ann Laity	**Recorder:** Lawrie Barkwell
10:30 - 10:45 a.m.	B R E A K!	

10:45 - 12:00 a.m.	GROUP PROGRAMS CONTINUED COMMUNITY HOMES CONTINUED (Discussion, Questions, Sharing Ideas)	
12:15 - 1:30 p.m.	L U N C H: (Lounge on Mezzanine) (Networking: Nancy Barkwell)	
1:30 - 2:15 p.m.	**GROUP A** **Intake & Discharge Procedures** **Presenter:** Terry Smith (Nova Scotia) **Facilitator:** Yolande Lafond **Recorder:** Marilyn Ross	**GROUP B** **Reviews 29(1) Y.O.A.** **28(1) Y.O.A.** **Presenter:** Alan Markwart (B.C.) **Facilitator:** Carolyn Brock **Recorder:** Dan Hrynick
2:15 - 2:30 p.m.	B R E A K!	
2:45 - 3:30 p.m.	**GROUP A** **Services to Minority Groups** **Presenter:** Terry Epp (N.W.T.) **Facilitator:** Yolande Lafond **Recorder:** Marilyn Ross	**GROUP B** **Temporary Release Programs** **Presenter:** Dennis Provenski (Manitoba) **Facilitator:** Carolyn Brock **Recorder:** Dan Hrynick
3:30 - 4:00 p.m.	F A R E W E L L! (Nancy Barkwell)	

Workshop Presenters

Institution Workshop

A. John Picketts
Provincial Administrator, Young Offender Custody Program
Summerside, P.E.I.

B. Frank Vostermans
Director, Strathmore Youth Development Centre
Strathmore, Alberta

Group Programs Workshop

A. Andrew Field
Director, Kenosee Youth Camp
Kenosee Lake, Saskatchewan

B. Tony Yanick
Director, Kenosee Youth Camp
Kenosee Lake, Saskatchewan

Community Homes Workshop

Rubin Orstein
Program Consultant, Children's Residential Resources
Fredericton, New Brunswick

Intake and Discharge Procedures Workshop

Terry Smith
Assistant Superintendent, Shelburn Youth Centre
Shelburn, Nova Scotia

Custody Reviews 28(1) Young Offenders Act and
29(1) Young Offenders Act Workshop

Alan Markwart
Policy Analyst, Corrections
Victoria, British Columbia

Services to Minority Groups Workshop

Terry Epp
Coordinator of Community Corrections
Yellowknife, Northwest Territories

Temporary Release Programs Workshop

Dennis Provenski
Community Corrections Coordinator
Brandon, Manitoba

Workshop Registrants

Rick Ash — Newfoundland
Department of Social Services

Marilyn Bongard — Ontario
Department of Justice

Terry Epp — North West Territories
Ministry of Social Services

Andrew Field — Saskatchewan
Yarrow Farm

Keith Huker — Saskatchewan
Salvation Army

Kristen Hendrikson — Ontario
Regional Young Offender Coordinator

Ron Lish — Saskatchewan
Department of Social Services

Bill Lonar — Nova Scotia
Nova Scotia Youth Centre

Herb Maddick — Newfoundland
Youth Corrections

Lynne Malmquist — North West Territories
Ministry of Social Services

Alan Markwart — British Columbia
Corrections

Jim McIlmolyn — Saskatchewan
Department of Social Services

Rubin Ornstein — New Brunswick
Department of Health & Community Services

Claude Perreault — Quebec
Department of Health & Social Welfare

John Picketts — Prince Edward Island
P.E.I. Youth Centre

Pierre Portilanu — Quebec
Services Professionals & Readaptation

Tom Richards — New Brunswick
Department of Solicitor General

Terry Smith — Nova Scotia
Shelburn Youth Centre

Ben Thiessen — Manitoba
Department of Attorney General

Jim Trimble — Ontario
Regional Young Offender Coordinator

Frank Vostermans — Alberta
Strathmore Youth Development Centre

Tony Yanick — Saskatchewan
Kenosee Youth Camp